Washington, Friday, December 24, 1948

TITLE 5—ADMINISTRATIVE **PERSONNEL**

Chapter I—Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the agencies concerned, the Commission has approved the amendments to Part 6, as set out below. These amendments shall be effective upon publication in the Federal Register.

1. Paragraphs (h) (2) and (i) (1) of § 6.103 are amended to read as follows:

§ 6.103 Treasury Department * * * (h) Comptroller of the Currency

- (2) NC/PD. Until December 31, 1949, positions of Chief National Bank Exammer, Assistant Chief National Bank Exammer, District Chief National Bank Exammer, National Bank Examiner, and Assistant National Bank Examiner, whose salaries are paid from assessments against national banks and other financial institutions.
- (i) United States Savings Bonds Division. (1) NC/PD. Until December 31. 1949, positions of State Director and Deputy State Director.
- Paragraph (d) (1) is added to § 6.107 as follows:
- § 6.107 Department of the Air Force.
- (d) General. (1) NC/PD. During the emergency declared by the President to exist on May 27, 1941, all positions in the Department of the Air Force on the Isthmus of Panama.
- 3. Paragraph (a) (2) of § 6.108 is amended to read as follows:
- § 6.108 Department of Justice—(a) General.
- (2) NC/PD. Field deputy United States marshals employed on an hourly basis for intermittent service.
- 4. Paragraph (b) of § 6.120 is amended to read as follows: O
- \S 6.120 The Tax Court of the United States. * * *
- (b) NC/PD. Until December 31, 1949, a Clerk of the Court and a Chief Deputy Clerk.

5. Paragraph (a) (5) of § 6.121 is amended to read as follows:

§ 6.121 Reconstruction Finance Cor-

poration—(a) General. * * * * * (5) Not to exceed thirty-two positions as Loan Agency Manager and not to exceed thirty-six positions of Assistant Loan Agency Manager.

(Sec. 6.1 (a) E. O. 9830, 12 F. R. 1259)

United States Civil Serv-ICE COMMISSION,

[SEAL]

H. B. MITCHELL, President.

[F. R. Doc. 48-11216; Filed, Dec. 23, 1948; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreement and Orders)

[Lemon Reg. 306]

PART 953-LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.413 Lemon Regulation 306—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq., 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is

(Continued on p. 8287)

CONTENTS

	D
Agriculture Department	Page
See also Rural Electrification Ad-	
ministration.	
Proposed rule making:	
Milk handling:	
min nanding.	0010
Clinton, Iowa, area Greater Boston area (Corr.)_	8313
Greater Boston area (Corr.)_	8311
New York metropolitan area_	8311
Rules and regulations:	
Limitation of shipments in Cal-	
ifornia and Arizona:	
Lemon's	8285
Oranges	8287
Air Force Department	
Rules and regulations:	
Aviation instruction at non-	
Federal establishments	0007
	8307
Alien Property, Office of	
Notices:	
Hearings, etc	
Adama Otta	0010
Adams, Otto	8319
Fujlura, Motoi Gassett, Percival Herbst, Theodore, and Mal-	8317
Gassett, Percival	8316
Herbst, Theodore, and Mal-	
vine Klausner	8320
Johanning, August, et al	8319
Kubler Tuer	8320
Kubler, Lucy Mueller, Laura	
Mueller, Laura	8316
Okamoto, Mitsu	8317
Plazotta, A. O	8320
Schmieder, Kurt	8317
Simme, Mary Louise	8318
Warias, Otto	8319
Pulse and regulations.	6010
Alien property seized during World War I, administration;	
Allen property seized uning	
world war 1, administration;	
transier and redesignation of	
part	8238
Army Department	
Rules and regulations:	
Anchorage	8292
Aviation instruction at non-	
Federal establishments;	
transfer and revision of regu-	
lations	8307
Danger zones	8292
Navigation	8292
	0234
Civil Service Commission	
Rules and regulations:	
Competitive service, exceptions;	
miscellaneous amendments_	8285
	0200
Economic Cooperation Admin-	
istration	
Rules and regulations:	
Drantroment enthanteries	
Procurement authorizations,	
qualifications on issuance;	

8291

change of date.



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Frinting Office, Washington 25, D. C.

Documents, Government Printing Office, Washington 25, D. C.
The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as

to section 11 of the Federal Register Act, as amended June 19, 1947.

The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the Federal

REGISTER.

Now Available

UNITED STATES GOVERNMENT MANUAL

1948 Edition

(Revised through June 30)

Published by the Division of the Federal Register, the National Archives

722 pages—\$1.00 a copy

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Communications Communication	Page
Proposed rule making: Aeronautical services Rules and regulations: Radio operators, commercial; eligibility for new license	8314 8308
Federal Power Commission Notices: South Carolina Electric & Gas Co., hearing	8315
Fish and Wildlife Service Rules and regulations: Upper Mississippi River Wildlife and Fish Refuge; beaver trap- ping	8311
Foreign and Domestic Com- merce, Bureau of Rules and regulations: British token import plan	8289

CONTENTS-Continued

COMIEMI3—Confinued	
Foreign and Domestic Com- merce, Bureau of—Continued Rules and regulations—Continued Office of International Trade;	Page
organization, functions and procedureProperty, requisitionedImmigration and Naturalization	8288 8288
Service	
Proposed rule making:	
Attorneys admitted to practice	
before the Immigration and Naturalization Service and	
Board of Immigration Ap-	
peals; suspension and disbar-	0011
	8311
Indian Affairs, Office of Rules and regulations:	
Crow Indian Irrigation Project,	
Mont., operation and main-	8291
tenance charges	0291
Interior Department See also Fish and Wildlife Service; Office of Indian Affairs.	
Rules and regulations:	
Discontinuance of codification	
of certain regulations: Bonneville Power Administra-	
tion; Southwestern Power	
Administration	8291
Division of Territories and Island Possessions; Puerto	
Rico Administration; Vir- gin Islands Company Alas-	
gin Islands Company: Alas- ka Railroad	8308
Office of the Secretary Bu-	0000
reau of Land Management;	0200
Bureau of Reclamation Office of Indian Affairs	8308 8291
Oil and Gas Division	8392
International Trade, Office of 🧻	
Rules and regulations: Export licenses, orders modify-	
	8290
Interstate Commerce Commis-	
Rules and regulations:	
Car service:	
Cotton, refrigerator cars for transporting	8310
Demurrage on railroad freight	0010
cars State Belt Railroad of Cali-	8309
formaGiant refrigerator cars, re-	8310
duced rates	8309
duced rates Refrigerator for box cars to	
Portland, Oreg., and Wash- ington	8310
Explosives and other dangerous	0020
articles; editorial changes in- cident to publication of 1949	
Code of Federal Regulations_	8309
Justice Department	
See also Immigration and Natu-	
ralization Service; Office of Alien Property.	
Rules and regulations:	
Editorial changes incident to	
publication of 1949 Code of Federal Regulations	8291
Organizations carrying on ac-	

tivities within the United States; filing and inspection of registration statement..... 8291

CONTENTS—Continued

Rural Electrification Adminis- Page

tration	
Notices: Loan announcements (3 documents)	8314
Securities and Exchange Com-	
mission Notices:	
Hearings, etc	
Bankers Securities Corp Lawrence R. Leeby & Co	8316 8315
Standard Gas and Electric	
Co Wheeler, James Benjamin	8315 8315
State Department	
Rules and regulations: Passports; deletion of section	8291
CODIFICATION GUIDE	
A numerical list of the parts of the	Codo
of Federal Regulations affected by docu- published in this issue. Proposed rule	ments les. as
published in this issue. Proposed rul opposed to final actions, are identification.	ed as
Title 5—Administrative Person-	Pago
nel Chapter I—Civil Service Commission:	
Part 6—Exceptions from the	
competitive service	8285
Title 7—Agriculture Chapter IX—Production and	
Marketing Administration	
(Marketing Agreements and Orders)	
Part 904—Milk in Greater Boston, Mass., marketing area	
(proposed)	8311
Part 927—Milk in New York metropolitan marketing area	
(proposed) Part 953—Lemons grown in	831 1
California and Arizona	8285
Part 966—Oranges grown in California and Arizona	8287
Part 970—Milk in Clinton, Iowa, marketing area (proposed)	8313
Title 8—Aliens and Nationality	0010
Chapter I—Immigration and Nat-	
uralization Service, Depart- ment of Justice:	
Part 95—Enrollment and dis- barment of attorneys and	
representatives (proposed)	8311
Chapter II—Office of Alien Property, Department of Justice:	
Part 508—Administration of alien property seized during	
World War I	8288
Title 15—Commerce and For-	
eign Trade Chapter III—Bureau of Foreign	
and Domestic Commerce, De- partment of Commerce:	
Part 360—Requisitioned prop-	0000
erty Part 361—British Token Im-	8288
port Plan Part 370—Orders and delega-	8289
tions of authority	8290
Title 18—Conservation of Power Chapter III—Bonneville Power	
Administration, Department	
of the Interior: Discontinuance of codification	8201

CODIFICATION GUIDE—C	.on.	CODIFICATION GOIDE—C	on.	CODIFICATION GOIDE—Con.
Title 18—Conservation of Power—Continued	Page	Title 33—Navigation and Navi- gable Waters—Continued	Page	Title 49—Transportation and Page Railroads
Chapter IV—Southwestern Power Administration, Department of the Interior:		Chapter II—Corps of Engineers, Department of the Army— Continued		Chapter I—Interstate Commerce Commission: Part 71—General information
Discontinuance of codification	8291	Part 204—Danger zone regula-	0000	and regulations 8309
Title 22—Foreign Relations Chapter I—Department of State:		Part 207—Navigation regula-	8292	Part 72—Commodity list of explosives and other dangerous
Part 51—Passports	8291	tions	8292	articles containing the ship- ping name or description of
Chapter III—Economic Cooperation Administration:		Title 34—National Military Es- tablishment		all articles subject to these regulations 8309
Part 1111—Procedures for fur- nishing assistance to partici-		Chapter VII—Department of the Air Force:		Part 73—Regulations applying
pating countries	8291	Part 845—Aviation instruction		to shippers 8369 Part 74—Regulations applying
Title 25—Indians Chapter I—Office of Indian Af-		at non-Federal establish- ments	8307	to carriers by rail freight 8309 Part 75—Regulations applying
fairs, Department of the In-		Title 43—Public Lands: Interior		to carriers by rail express 8309
terior: Part 01—Organization and pro-		Subtitle A—Office of the Secretary of the Interior:		Part 95—Car service (5 documents) 8309, 8310
cedure: Discontinuance of codifica-		Part 01—Organization and pro- cedure:		Title 50—Wildlife Chapter I—Fish and Wildlife,
tion Part 02—Delegations of author-	8291	Discontinuance of codifica-	8308	Department of the Interior:
ity.		Part 4—Delegations of author-	0300	Part 33—Central region 8311
Discontinuance of codifica-	8291	ity. Discontinuance of codifica-		based became available and the time
Part 130—Operation and main- tenance charges	8291	tionChapter I—Bureau of Land Man-	8308	when this section must become effective in order to effectuate the declared policy
Title 28—Judicial Administra-		agement, Department of the		of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient.
tion Chapter I—Department of Jus-		Interior: Part 50—Organization and pro-		and a reasonable time is permitted, under
tice: Part 3—Appointment of notaries		cedure: Discontinuance of codifica-		the circumstances, for preparation for such effective date.
public for the District of		tionChapter II—Bureau of Reclama-	8308	(b) Order. (1) The quantity of lemons grown in the State of California or
Columbia Part 4—Administration of alien	8291	tion, Department of the In-		in the State of Arizona which may he handled during the period beginning at
property	8291	terior: Part 400—Organization and pro-		12:01 a. m., P. s. t., December 26, 1948,
Foreign Agents Registration	8291	cedure: Discontinuance of codifica-		and ending at 12:01 a. m., P. s. t., January 2, 1949, is hereby fixed as follows:
Part 10—Registration of certain	0231	tionPart 402—Annual water	8308	(i) District 1. 250 carloads; (ii) District 2: Unlimited movement.
organizations carrying on activities within the United		charges: Discontinuance of codifica-		(2) The prorate base of each handler who has made application therefor, as
StatesPart 30—Travel and other con-	8291	tion	8308	provided in the said amended marketing
duct of aliens of enemy na-	8291	Part 405—Delegations of authority		agreement and order, is hereby fixed in accordance with the prorate base sched-
Part 51—Organization and		Discontinuance of codifica-	8308	ule which is attached to Lemon Regula- tion 305 (13 F. R. 7817) and made a part
functionsPart 52—Procedures		Part 406—Redelegations of au-	0000	hereof by this reference. (3) As used in this section, "handled,"
Part 81—Interdepartmental Committee on Employee In-		Discontinuance of codifica-		"handler," "carloads," "prorate base,"
vestigations	8291	tion Part 451—Boat and wharf priv-	8308	"District 1," and "District 2" shall have the same meaning as is given to each
Title 30—Mineral-Resources Chapter IV—Oil and Gas Division,		ileges on certain reservoirs: Discontinuance of codifica-		such term in the said amended marketing agreement and order. (48 Stat. 31, as
Department of the Interior: Part 400 — Organization and		tion	8308	amended; 7 U.S. C. 601 et seq.)
procedure	8292-	Title 47—Telecommunication Chapter I—Federal Communi-		Done at Washington, D. C., this 22d day of December 1948.
Part 401—Petroleum conserva- tion orders——————	8292	cations Commission:		[SEAL] S. R. Shith,
Part 403—Reports and inspec- tions of facilities and agencies		Part 9—Aeronautical services (proposed)	8314	Director Fruit and Vegetable Branch, Production and Mar-
for the production, processing, storage and transportation		Part 13—Commercial radio operators	8308	keting Administration.
of petroleum and petroleum	0000	Title 48—Territories and Insular		[F. R. Doc. 48-11235; Filed, Dec. 23, 1948; 9:05 a. m.]
productsTitle 33—Navigation and Navi-	8292	Possessions Chapter I—Division of Territories		
gable Waters		and Island Possessions, De-		IOranga Pag 2001
Chapter II—Corps of Engineers, Department of the Army		partment of the Interior: Part 1—Organization and pro-		[Orange Reg. 260] PART 966—ORANGES GROWN IN CALIFORNIA
Part 6—Security of ports and control of vessels in the navi-		cedureChapter II—Puerto Rico Recon-	8308	AND ARIZONA
gable waters of the United	8292	struction Administration, De-		LIMITATION OF SHIPMENTS
StatesPart 202—Anchorage regula-		partment of the Interior: Part 201—Organization and pro-		§ 966.406 Orange Regulation 260— (a) Findings. (1) Pursuant to the pro-
tions	8292	cedure	8308	visions of Order No. 66 (7 CFR, Cum.

RULES AND REGULATIONS

Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postponed the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances,

for preparation for such effective date.
(b) Order (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a.m., P s. t., December 26, 1948. and ending at 12:01 a.m., P. s. t., January 2, 1949, is hereby fixed as follows:

(i) Valencia oranges. (a) Prorate District No. 1. No movement;

(b) Prorate District No. 2: Unlimited movement:

(c) Prorate District No. 3: No movement.

(ii) Oranges other than Valencia oranges. (a) Prorate District No. 1. 600 carloads;

(b) Prorate District No. 2: Unlimited movement:

(c) Prorate District No.3: Unlimited

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled." "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1." "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F R. 10258) of the rules and regulations contained in this part. (48 Stat. 1, as amended; 7 U.S. C. 601, et seq.)

Done at Washington, D. C., this 22d day of December 1948.

L] S. R. SMITH, Director, Fruit and Vegetable [SEAL] Branch, Production and Marketing Administration.

PROPATE BASE SCHEDULE

[12:01 a. m. December 26, 1948, to 12:01 a. m. January 2, 1949]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1	
	rate base
Handler (1 Total	percent) 100.0000
•	100.0000
A. F. G. Lindsay	1.4056
A. F. G. Sides	1.9906 .5297
Ivanhoe Cooperative Association	. 5265
Dofflemyer & Sons, W. Todd Earlibest Orange Association	6116
Elderwood Citrus Association	1. 1484 2. 8639
Exeter Citrus Association	6383
Exeter Orange Growers Association Exeter Orchards Association	1. 2465 1. 7043
Hillside Packing Association	1. 6944
Hillside Packing AssociationIvanhoe Mutual Orange Associa-	
tionKlink Citrus Association	1.0686 4.6347
Lemon Cove Association	1.8457
Lindsay Citrus Growers Associa-	
tion Lindsay Cooperative Citrus Associa-	2.6031
tion	1.3600
Lindsay District Orange Co Lindsay Fruit Association	1. 1467
Lindsay Fruit Association	1.7044
Lindsay Orange Growers Associa-	.8932
Naranjo Packing House Co	1.0012
Orange Cove Citrus Association Orange Cove Orange Growers	3.2511 1.9795
Orange Packing Co	1.3255
Orange Packing CoOrosi Foothill Citrus Association	1.2881
Paloma Citrus Fruit Association	. 9822 1. 7900
Rocky Hill Citrus Association Sanger Citrus Association	3.7357
Sequoia Citrus Association	. 9897
Stark Packing Corp	2. 1662 1. 6994
Visalia Citrus Association	1. 9388
Waddell & Son	
Inc	1.3570
James Mills Orchard Co Orland Orange Growers Association,	.8618
IncAndrews Brothers of Calif	. 8835
Andrews Brothers of Calif	0000
Baird-Neece Corp Beattie Association, Agnes M	1.7796 6794
Grand View Heights Citrus Associ-	
ation	2.1465
Magnolia Citrus Association Porterville Citrus Association, The_	2. 4215 1. 5673
Richgrove-Jasmine Citrus Associa-	
tion	1.3521
Sandilands Fruit Co	1.7276 1.7558
Strathmore Coop. Association Strathmore District Orange Associ-	
ation	1. 5612
Strathmore Fruit Growers' Association	1, 1931
Strathmore Packing House Co	1,6320
Sunflower Packing Association, Inc.	2.3820
Sunland Packing House Co Terra Bella Citrus Association	2.7874 1.0751
Tule River Citrus Association	1. 2003
Kroells Brothers, Ltd	1.0501
Lindsay Mutual Groves Martin Ranch	1,5317 1,3343
Woodlake Packing House	2. 0798
Anderson Packing Co., R. M	. 4164
Baker BrothersBatkin Jr., Fred A	.1388
California Citrus Groves, Inc., Ltd	. 0894 1. 5876
Chess Co., Meyer W	. 3988
Edison Groves, Inc Evans Brothers Packing Co	.0000
Exeter Groves Packing Co	_1, 0428
Furr, N. C	. 5787
Ghianda RanchHarding & Leggett	.0355 1.5001
Justman-Frankenthal Co	.1882
Lo Bue Bros	1.0322
Marks, W. & M Panno Fruit Co., Carlo	, 2529 , 2218
AI (AV OO), VAIIVA	, 2210

PRORATE BASE SCHEDULE-Continued ALL ORANGES OTHER THAN VALENCIA ORANGEScontinued

Prorate District No. 1-Continued

Drawata haca

	Prorate oase
Handler	(percent)
Randolph Marketing Co	2.0326
Reimers, Don H	3674
Rooke Packing Co., B. G	9658
Webb Packing Co., Inc.	
Wollenman Packing Co	
Woodlake Heights Packing Corpor	a-
tion	5663
Zaninovich Bros	7611
[F. R. Doc. 48-11286; Filed, Do 9:06 a. m.]	o. 23, 1948;

TITLE 8-ALIENS AND NATIONALITY

Chapter II-Office of Alien Property, Department of Justice

PART 508-ADMINISTRATION OF ALIEN PROPERTY SEIZED DURING WORLD WAR I

TRANSFER AND REDESIGNATION OF PART

CROSS REFERENCE: For the transfer of the regulations in Part 4, Chapter I, Title 28 and the redesignation of these regulations as Part 508 of this chapter, see Federal Register Doc. No. 48-11266 Title 28, Chapter I, infra.

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and **Domestic Commerce, Department of**

In order to conform Chapter III of Title 15 to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the regulations of the Administrative Committee of the Federal Register and approved by the President October 12, 1948 (13 F. R. 5929), the codification of Part 360, Organization, Functions and Procedure of the Office of International Trade, with the exception of §§ 360.14 and 360.15a, is hereby discontinued. Future amendments to this material will appear in the Notices section of the FEDERAL REGISTER.

Sections 360.14 and 360.15a are redesignated as Part 360 and Part 361, respectively, and are revised to read as set forth below.

- PART 360-REQUISITIONED PROPERTY

§ 360.1 Procedure. (a) Insofar as concerns the requisitioning functions, the only remaining activities involve determination of ownership and compensation, hence only the procedure applicable to claims is of any present significance. Any claimant may petition the Office of International Trade, Department of Commerce, Washington 25, D. C., for compensation for property in which he asserts an interest, which was requisitioned by any one of the prede-cessors of the Office of International Trade. Each petition must be filed in duplicate and must fully identify the claimant, describe the property and claimant's alleged interest therein, state

the fair value of the property when requnsitioned, specify the nature and amount of the claim, set forth the facts establishing ownership, and indicate any other outstanding interests in the property in the nature of lien, pledge, contract of purchase, or otherwise. The petition must be verified. It may be signed by an attorney-in-fact if accompanied by power of attorney in duplicate original. The petition must also be accompanied by a list and description of the property requisitioned, copies of any purchase orders or contracts covering the property, originals of all documents of title, including warehouse receipts, bills of lading, etc., evidencing or affecting claimant's ownership, and evidence of any payment for such property and a statement of any discount or rebate-all such documents to be filed ın duplicate.

(b) Determinations of ownership and compensation are made by the Assistant Director of the Office of International Trade pursuant to recommendations made by the General Counsel's Office. The General Counsel's Office reviews the claims and all related documents, may hold oral hearings where deemed necessary, may require any person to appear or file claim within the limited time or else be bound by any determination made against him, and makes recommendations on the evidence submitted. All hearings are public and are held at such times and places as may be prescribed upon reasonable notice. Witnesses may be examined orally and depositions or other documentary evidence may be taken and received.

(c) Provision is made by statute for resort to the courts by claimants who are dissatisfied with an award of compensation made according to the above procedure. (R. S. 161, 5 U. S. C. 22; sec. 12, 60 Stat. 244)

PART 361—BRITISH TOKEN IMPORT PLAN

361.1

Procedure.

INTEODUCTION

361.2 What the plan is. How to secure information. Effect on export restrictions.

PROCEDURE FOR OBTAINING CERTIFICATION OF PREWAR EXPORTS

Eligibility. 361.5

Applying for certification. 361.6

- 361.7 Action by Office of International

361.8 Use of token scrip by certified exporter.

Validity period of scrip. 361.9

ADDITIONS TO LIST

361.10 Procedure for requesting additions to

AUTHORITY: §§ 361.1 to 361.10 issued under 60 Stat. 237; 5 U.S. C. 1001-1011.

§ 361.1 Procedure. The procedure governing administration of the British Token Import Plan, and the role of the Office of International Trade therein, have been revised as set forth in this part.

INTRODUCTION

§ 361.2 What the plan is. The "British Token Import Plan" is an arrangement with the British Government which permits United States manufacturers, their authorized agents, or other qualified exporters, with established pre-war trade connections in the United Kingdom (England, Scotland, Wales, and Northern Ireland) to export to that area token shipments of specified commodities, the importation of which the British Government prohibited as a war measure. Under the plan, the British Government will permit imports in a yearly amount not to exceed 20% of the value of the average annual shipments of the specified commodities of each qualified exporter during a base period consisting of the years 1936, 1937, and 1938. The British Government requires appropriate evidence, issued under authority of the United States Government, that manufacturers wishing to take advantage of opportunities under the arrangement did in fact make shipments of the commodities to the United Kingdom during the base period. The Office of International Trade has agreed to act as certifying agent and issue appropriate certificates, in the form of token scrip, which the exporter forwards to the British importer for presentation to the British Board of Trade as a basis for obtaining an import license.

§ 361.3 How to secure information. All official announcements regarding the plan will be published in the "Foreign Commerce Weekly," subscription to which may be arranged through the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Announcements will also be made in press releases which will be available to trade journals. Copies of announcements (including lists of commodities currently subject to the plan) as well as all forms needed in connection with the plan may be obtained from the Office of International Trade, Areas Division, British Token Import Plan Unit, Washington, D. C., or from any of the Field Offices of the Department of Commerce.

§ 361.4 Effect on export restrictions. The issuance of token script in no way affects United States export restrictions which may be applicable to commodities coming under the plan.

PROCEDURE FOR OBTAINING CERTIFICATION OF PREWAR EXFORTS

§ 361.5 Eligibility. (a) Manufacturers, or their duly authorized agents, who exported any of the items on the approved list to the United Kingdom (England, Scotland, Wales, and Northern Ireland) during the base period 1936, 1937, and 1938, are eligible for certification under the plan. "Manufacturer" means an individual, firm or corporation which produces directly or indirectly products sold through established markets. "Authorized agent" means an export merchant, export commissioner, or any other person who has been authorized by the manufacturer to handle products produced by the manufacturer. Such an individual cannot be certified under the plan without a letter from the manufacturer addressed to the Office of International Trade, specifically authorizing him to apply for certification for the manufacturer's total basic quota or for a portion of the total basic quota. Such authorization must be submitted for each

calendar year or otherwise must state the period of time for which the authoriza-tion is made. "Basic quota" means 20% of the value of manufacturer's average annual shipments of the product to the United Kingdom during the base period years 1936, 1937, and 1938. If a manufacturer authorizes an agent, or agents, to apply for certification of only a portion of the quota, the manufacturer may apply for certification of the balance.

(b) Individuals or firms, other than manufacturers, having an established export trade from the United States to the United Kingdom during the years 1936, 1937, and 1938 in the items on the approved list, may be eligible if they can demonstrate clearly that such trade was developed by them and not by a manufacturer. Any person who is not a manufacturer, or an authorized agent, who feels that he is eligible for participation under the plan should request a determination of eligibility from the Office of International Trade, Areas Division, British Token Import Plan Unit. Such a request should fully identify his export connections during the years 1936, 1937, and 1938 with the United Kingdom and should explain in detail his reasons for requesting eligibility under the plan.

§ 361.6 Applying for certification—(a) Time and manner of submitting application. (1) Applications for certification shall be made in triplicate on Form IT-558 (Rev.) "Request for Certification of Pre-War Exports to the United Kingdom," and submitted to the Office of International Trade, Areas Division, Brit-ish Token Import Plan Unit, Washington, D. C. A separate application, Form IT-558 (Rev.) shall be submitted for each commodity group covered by the plan and shall give the information requested on the application form. The commodity description, section 3, should include brand name(s) for all branded products included in the applicant's export figures for the base period. The quantity and value of exports listed under section 6 should cover only the permitted types of each commodity shown on the approved list. All data shown on the form must be based upon actual records or other documentary evidence. Only those applications will be considered which have the certification on the bottom of the form executed.

(2) All applications should be filed as early in the year as possible. With respect to commodities on the approved list, as of January 1, 1949, the following

conditions will apply

(i) Only those applications received on or before April 30, 1949, can be assured of consideration as claims for full annual basic quotas.

(ii) Applications received later than April 30, 1949, may require treatment as partial claims entitling applicants to allotments of scrip only in proportion to the number of months remaining after the applications are received.

(iii) No applications for 1949 scrip can be accepted after September 30, 1949.

(3) With respect to any commodity which may be added to the approved list after January 1, 1949, program operation dates will be appropriately adjusted and will be announced when notice is

published of the inclusion of the new commodity under the plan.

(b) Evidence of cuthority. If an application is signed by an agent, it will be necessary to have evidence of authorization as explained in this section.

§ 361.7 Action by Office of International Trade—(a) Numbering and certifying applications. (1) Upon receipt of Form IT-558 (Nev.) by the Office of International Trade, a number is assigned to the application for identification purposes. The first part of the number corresponds to the commodity, group number assigned to the item as shown on the approved list. The second part of the number is a numerical case number. For example, number 17-435 indicates that the application covers "Lawnmowers," since "17" is the commodity group for lawnmowers and "435" is the numerical case number.

(2) When an applicant has been approved for participation under the plan, the Department of Commerce certification stamp is placed on all three copies of the application. The original copy is returned to the applicant, together with token scrip. The duplicate copy is retained by the Office of International Trade, and the triplicate copy is forwarded to the British Board of Trade. If scrip cannot be issued for the total amount of the basic quota requested on the application, notice will be sent to the applicant and to the Board of Trade of the amount of scrip which is being issued as an interim allotment pending verification or adjustment of the claim as explained in paragraph (b) of this section.

(b) Issuance of token scrip. (1) When an application is approved in full or in part, scrip will be issued in denominations requested by the applicant under section 7 of Form IT-558 (Rev.) totaling, to the nearest \$25, an amount determined as explained in subparagraph (3) (i) of this paragraph. When issued, scrip is given a number identical with the number assigned to the certified application, Form IT-558 (Rev.) Scrip is neither transferable nor negotiable. It cannot be transferred by the certified manufacturer to another manufacturer of the same commodity or to a manufacturer of another product, nor can it be used by the holder for a product other than the one for which it was

(2) Under the terms of the plan, as established by the British Government, import licenses will be issued by the British Board of Trade, up to 20% of each United States applicant's pre-war exports into the United Kingdom. Since the total exports of these items, as reported by individual applicants, should not exceed 20% of the total imports for each commodity during the base period, the pre-war exports certified by the Office of International Trade and scrip issued under such certification must be kept within the over-all national quotas computed from official trade statistics and mutually accepted by the Department of Commerce and the British Board of Trade.

(3) In order to operate the plan with the flexibility needed for convenience of American exporters, and, at the same time, with assurance that total national quotas will not be exceeded in any way which would endanger the continuance of the program, it is necessary to issue scrip on an installment basis. It is to be expected that scrip can be issued during the year to the full amount of each applicant's basic quota, but since errors are possible and time 'is therefore required before there can be complete assurance that all data are accurate, the quantities of scrip will be issued from time to time in installments as follows:

(i) Applications filed on or before April 30, 1949 (or in the case of new commodities, within two months after announcement of the addition of the commodity to the approved list) For applications filed by April 30, 1949, in accordance with instructions in this part, the procedure will be, in general, to issue scrip immediately upon receipt of the application in an amount totaling approximately one-third of the applicant's basic quota. As soon as possible after April 30, 1949 (or after two months, in the case of new commodities) a second installment of scrip will be issued in as large amount as practicable. If it is clear that there will be no danger of the total of all applications covering a specific commodity exceeding the over-all national quota for that commodity, script will be issued for the full remainder of the individual's basic quota. The amount of the initial and subsequent installments of scrip will vary for different commodities. Applicants having justifiable need for the full issue of scrip may request that arrangements be made to have their records and documents examined by a Department of Commerce representative. If this is done, and it is found that the full claim is substantiated, scrip will then be issued for the total unissued balance of the basic quota. Final issue of all scrip will be made as soon as possible after closing date for filing applications, September 30, 1949.

(ii) Applications filed after April 30, 1949, but prior to October 1, 1949. Applications filed after April 30, 1949, will be certified in amounts consistent with any balance of the over-all national quota which was not applied for on or before April 30, 1949. This will apply similarly to new commodity applications which are received more than two months after announcement of the addition of the commodity to the approved list. In these cases scrip will also be issued in installments as explained in subparagraph (3) (i)

§ 361.8 Use of token scrip by certified exporter When the certified exporter receives an order from a United Kingdom importer, he should forward to the importer sufficient scrip, to the nearest \$25 to cover the order. The importer will attach the scrip to his application for an import permit. The British Board of Trade, upon receipt of the import license application and accompanying scrip, will, prior to issuance of an import permit, check the application and scrip against the certified copy of the Form IT-558 (Rev.) forwarded from the Office of International Trade.

§ 361.9 Validity period of scrip. Scrip issued for 1949 will be valid and

accepted by the British Board of Trade through February 28, 1950.

ADDITIONS TO LIST 1

§ 361.10 Procedure for requesting additions to list. Manufacturers or other eligible persons who exported to the United Kingdom (England, Scotland, Wales, and Northern Ireland) during the years 1936, 1937, and 1938, products other than those on the approved list, may request that the plan be made applicable to such products. A separate request must be made for each commodity by filing, in triplicate, Form IT-570, "Request for Addition of Commodity to the British Token Import Plan," with the Office of International Trade, Areas Division. British Token Import Plan Unit, Washington, D. C. The Office of International Trade forwards two copies of the form to the American Embassy in London for transmittal to the British Board of Trade. The completeness of the information furnished on the form will be a major factor in determining acceptance by the Board of Trade. Effectiveness of presentation will be increased if manufacturers who exported to the United Kingdom during the base period make a joint request through their trade association. The applicant will be notified of whatever action is taken by the Board of Trade and an-nouncement of all additions to the list will be made in press releases and the Foreign Commerce Weekly.

Dated: December 20, 1948.

THOMAS C. BLAISDELL, Jr.
Director,
Office of International Trade.

[F. R. Doc. 48-11237; Filed, Dec. 23, 1948; 9:01 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 31]

PART 370—ORDERS AND DELEGATIONS OF AUTHORITY

MODIFICATION OF VALIDITY OF EXFORT LICENSES

Section 370.2 Orders modifying validity of export licenses is amended in the following particulars:

Paragraph (e) thereof, which prohibits export shipments of gasoline (including aviation gasoline) kerosene, gas oil, and distillate fuel from West Coast ports of the United States, and the use of export licenses for such shipments, is hereby revoked.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214; 61 Stat. 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F R. 12245; E. O. 9919, Jan. 3, 1948, 13 F R. 59)

Dated: December 17, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-11236; Filed, Dec. 23, 1948; 9:00 a. m.]

The procedure in § 361.10 has been inoperative since July 5, 1947.

TITLE 18—CONSERVATION OF POWER

Chapter III—Bonneville Power Administration, Department of the Interior

Chapter IV—Southwestern Power Administration, Department of the Interior

DISCONTINUANCE OF CODIFICATION

In order to conform to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the Regulations of the Administrative Committee of the Federal Register effective October 12, 1948 (13 F. R. 5929) the codification of Chapters III and IV of Title 18 is discontinued. Amendments to the provisions in these chapters will in the future appear in the Notices section of the Federal Register.

J. A. Krug, Secretary of the Interior.

DECEMBER 18, 1948.

[F. R. Doc. 48-11245; Filed, Dec. 23, 1948; 10:21 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 51—PASSPORTS
DELETION OF SECTION

EDITORIAL NOTE: Section 51.101 Previous rules and regulations, which is no longer pertinent, is deleted and § 51.102 Passport agents of the Department of

State is redesignated § 51.101.

Chapter III—Economic Cooperation Administration

[ECA Reg. 1, Amdt.]

PART 1111—PROCEDURES FOR FURNISHING ASSISTANCE TO PARTICIPATING COUNTRIES

QUALIFICATIONS ON ISSUANCE OF PROCURE-MENT AUTHORIZATIONS, CHANGE OF DATE

ECA Regulation 1 is amended in the following respect:

In § 1111.5 (b) the date "April 1, 1949" is substituted in place of "January 1, 1949"

Howard Bruce, Acting Administrator for Economic Cooperation.

[F. R. Doc. 48-11250; Filed, Dec. 23, 1948; 9:05 a. m.]

TITLE 25—INDIANS

Chapter 1—Office of Indian Affairs, Department of the Interior

DISCONTINUANCE OF CODIFICATION

In order to conform to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the Regulations of the Administrative Committee of the Federal Register effective October 12, 1948 (13 F. R. 5929) the codification of Part 01 and Part 02 of

Title 25 is discontinued. Amendments to the provisions in these parts will in the future appear in the Notices section of the FEDERAL REGISTER.

J. A. Knug, Secretary of the Interior.

DECEMBER 18, 1948.

[F. R. Doc. 48-11246; Filed, Dec. 23, 1945; 9:04 a. m.]

Subchapter L—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE
O CHARGES

CROW INDIAN IRRIGATION PROJECT, MONTANA

Pursuant to section 4 (a) of the Administrative Procedure Act approved June 11, 1946, Public Law 404, 79th Congress; the acts of Congress approved August 1, 1914, June 4, 1920; May 26, 1926; and March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 41 Stat. 751; 44 Stat. 658; 45 Stat. 210, 25 Stat. U. S. C. 387) and by virtue of the authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 11, 1946 (11 F. R. 10279) and by virtue of authority delegated by the Commissioner of Indian Affairs to the Regional Director September 14, 1946, notice is hereby given of intention to modify § 130.12 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Crow Indian Irrigation Project to read as follows:

§ 130.12 Charges. In compliance with the provisions of the Act of August 1, 1914 (38 Stat. 583; 25 U. S. C. 385) the operation and maintenance charges for irrigable lands under the Crow Irrigation Project for the calendar year 1949 and subsequent years until further notice are hereby fixed as follows:

For the assessable area under constructed works on all Government operated units excepting Coburn

Unit, per acre______ 1.
For the assessable area under the Bozeman Trail Unit, per acre_____

For Indian lands only, under the Lodge Grass Units 1 and 2, Reno and Agency Units, for Willow Creek Storage Works Operation and Maintenance, per acre-

For certain tracts of irrigable Trust Patent Indian lands within and benefited by the Two Legglins Drainage District (Contract dated June 29, 1932), per acre

Interested persons are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to the Director, U. Ş. Indian Service, Billings, Montana, within 30 days from the date of the publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PAUL L. FICKINGER, Regional Director, Region No. 2, U. S. Indian Service.

[F. R. Doc. 48-11192; Filed, Dec. 23, 1948; 8:46 a. m.]

TITLE 28—JUDICIAL ADMIN-ISTRATION

Chapter I—Department of Justice

PART 3—APPOINTMENT OF NOTABLES PUBLIC FOR THE DISTRICT OF COLUMBIA

PART 4—Administration of Alien Property

PART 5—ADMINISTRATION OF THE FOREIGN AGENTS REGISTRATION ACT

PART 30—TRAVEL AND OTHER CONDUCT OF ALIENS OF ENEMY NATIONALITY

PART 51—ORGANIZATION AND FUNCTIONS
PART 52—PROCEDURES

PART 81—INTERDEPARTMENTAL COMMITTEE ON EMPLOYEE INVESTIGATIONS

CHANGES INCIDENT TO PUBLICATION OF CODE OF FEDERAL REGULATIONS, 1949 EDITION

In order to conform Chapter I of Title 28 of the Code of Federal Regulations to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5929) the following changes are made, effective upon their publication in the Federal Register:

1. Part 3, Appointment of Notaries Public for the District of Columbia, is excluded from the Code of Federal Regulations, 1949 Edition.

2. Part 4, Administration of Alien Property, is transferred to Chapter II of Title 8, and designated as "Part 508, Administration of Alien Property Seized During World War I."

3. In Part 5, Administration of the Foreign Agents Registration Act, §§ 5.100 (a) (8) (viii) and 5.302 (c) (5) are revoked.

4. In Part 30, Travel and Other Conduct of Allens of Enemy Nationality, §§ 30.71 to 30.75 are renumbered §§ 30.1 to 30.5.

5. Codification of Part 51, Organization and functions, and Part 52, Procedures, is discontinued. Future amendments to the material in these parts will be published in the Notices section of the FEERMA REGISTER.

6. Part 81, Interdepartmental Committee on Employee Investigations, is deleted because the regulations therein were in effect revoked by the revocation of Executive Order No. 9300, under the authority of which the regulations were issued.

Tom C. Clark, Attorney General.

DECEMBER 21, 1948.

[F. R. Doc. 48-11266; Filed, Dec. 23, 1948; 9:05 a. m.]

PART 10—REGISTRATION OF CERTAIN OR-GARIZATIONS CARRYING ON ACTIVITIES WITHIN THE UNITED STATES

FILING AND INSPECTION OF REGISTRATION STATELIENTS

Sections 10.6 and 10.10 of Chapter I, Title 28, Code of Federal Regulations, are amended to read as follows:

§ 10.6 Necessity, for further registration. The filing of a registration statement with the Attorney General as required by the Act shall not operate to remove the necessity for filing a registration statement with the Attorney General as required by the act of June 8, 1938, as amended, entitled "An act to require the registration of certain persons employed by agencies disseminate propaganda in the United States and for other purposes" (52 Stat. 631, 56 Stat. 248; 22 U.S. C. 611) or for filing a notification statement with the Secretary of State as required by the act of June 15, 1917 (40 Stat. 226)

§ 10.10 Public inspection. Registration statements filed with the Attorney General pursuant to the said act shall be available for public inspection in the Department of Justice, Washington, D. C., from 10:00 a. m. to 4:00 p. m. on each official business day.

This order shall become effective on the date of its publication in the Federal Register. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary for the reason that the change made in § 10.6 merely reflects a change in administration effected by statute, and the change made in § 10.10 relates only to agency management.

(54 Stat. 1203; 18 U.S. C. 2386 (C))

Tom C. Clark, Attorney General.

DECEMBER 21, 1948.

[F. R. Doc. 48-11267; Filed, Dec. 23, 1948; 9:05 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter IV—Oil and Gas Division, Department of the Interior

PART 400-ORGANIZATION AND PROCEDURE

PART 401—PETROLEUM-CONSERVATION ORDERS

PART 403—REPORTS AND INSPECTIONS OF FACILITIES AND AGENCIES FOR PRODUCTION, PROCESSING, STORAGE AND TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS

DISCONTINUANCE OF CODIFICATION AND FORMAL CHANGES

In order to conform to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the Regulations of the Administrative Committee of the Federal Register effective October 12, 1948 (13 F. R. 5929)

- 1. The codification of Part 400 of Title 30 is discontinued. Amendments to the provisions in this part will in the future appear in the Notices section of the Federal Register.
- 2. Section 400.115 is redesignated as § 403.20.
- 3. Section 400.105 is redesignated as § 403.9a and is amended to read as follows:
- § 403.9a Forms for monthly reports. The following forms, which may be obtained from the Federal Petroleum

Board, Kilgore, Texas, must be used in filing the monthly reports required by \$ 403 9

(a) By operators of natural gasoline, cycling, and other similar plants—Form G, requiring information on total intake volume of natural gas, disposition of intake volume, and barrels of petroleum and petroleum products produced, delivered, received, and in stock.

(b) By petroleum producers—Form P requiring information on lease data, lease operations, allowables, and production

and disposition of petroleum.

(c) By refiners of petroleum—Form R, requiring information on stock on hand, runs to stills, re-runs, products manufactured, plant use and losses, receipts, and deliveries.

- (d) By transporters and storers—Form T, requiring information on stock on hand, receipts, deliveries, shortages, and overages. (Sec. 11, 49 Stat. 33; 15 U. S. C. 715j; 30 CFR 401.1, 30 CFR, 1945 Supp., 403.9; A. O., June 28, 1945, 10 F. R. 8074)
 - 4. Section 401.4 is revoked.
- 5. Section 403.9a is redesignated as § 403.9b.

J. A. Krug, Secretary of the Interior.

DECEMBER 18, 1948.

[F. R. Doc. 48-11247; Filed, Dec. 23, 1948; 9:04 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202-ANCHORAGE REGULATIONS

PART 204-DANGER ZONE REGULATIONS

PART 207-NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917, chapter XIX of the Army Appropriation Act of July 9, 1918, and section 7 of the River and Harbor Act of March 4, 1915 (33 U. S. C. 1, 3, and 471) the following regulations contained in Part 6, 33 CFR Chapter I (which were adopted and continued in full force and effect by the Secretary of the Army by an order published in the Federal Register June 5, 1947, 12 F. R. 3664) are hereby revoked:

SUBPART C-ANCHORAGE AND RESTRICTED
AREAS

ELEVENTH NAVAL DISTRICT

§§ 6.11-1 to 6.11-105, inclusive. [Revoked.]

TWELFTH NAVAL DISTRICT

§§ 6.12-5 to 6.12-190, inclusive. [Re-voked.]

THIRTEENTH NAVAL DISTRICT

- §§ 6.13-5 to 6.13-245, inclusive. [Revoked.]
- 2. Pursuant to the provisions of section 1 of the act of April 22, 1940 (54 Stat. 150; 33 U. S. C. 180) and section 7 of the River and Harbor Act of March 4,

1915 (38 Stat. 1053; 33 U. S. C. 471), § 202.1 is hereby amended by the addition of special anchorage areas at San Diego Harbor, Newport Bay Harbor, Los Angeles and Long Beach Harbors, Santa Catalina Island, Santa Monica Harbor, Santa Barbara Harbor, and Morro Bay Harbor, California, and §§ 202.80 to 202.96, inclusive, are hereby revoked and superseded by §§ 202.80 to 202.100, inclusive, as follows:

§ 202.1 Special anchorage areas. * * *
(b) The areas hereinafter described are designated as special anchorage areas. (All bearings are referred to true meridian.)

Niagara River, Youngstown, N. Y.

SAN DIEGO HARBOR, CALIF.

Area A-I. The waters shoreward of a line from U. S. Military Reservation Monument No. 11 on the north boundary of the U. S. Military Reservation to a point on the combined plerhead-bulkhead line 500 feet southeast of U. S. Station 493; and the waters bounded by Shelter Island, a line 300 feet southeast of and parallel to the line first described, and lines through both ends of Shelter Island normal to such line.

Norn: This area is reserved for yachts and other small recreational craft. Fixed fore and aft moorings will be allowed in the area as permitted by the Harbor Master, Port of San Dlego.

Area A-2. Shoreward of a line between Bulkhead Stations 151 and 154.

Note: This area is reserved for yachts and other small recreational craft. Fixed moorings will be allowed in this area as permitted by the Harbor Master, Port of San Diego.

Area A-3. Shoreward of a line between U.S. Bulkhead Stations 155 and 161.

Note: This area is reserved for yachts and other small recreational craft. Fixed moorings will be allowed in this area as permitted by the Harbor Master, Port of San Diego.

Area B. Shoreward of the U.S. Bulkhead Line between Stations 464 and 460 and shoreward of a line connecting U.S. Bulkhead line Station 460 and U.S. Pierhead Line Station 462, prolonged along the pierhead line south to the intersection of the prolongation of the centerline of Cedar Street.

Note: This area is reserved for licensed commercial fishing vessels. Fore and aft moorings will be allowed in this area as permitted by the Harbor Master, Port of San Diego.

NEWPORT BAY HARBOR, CALIF.

Area A-I. In Lido Channel, northeast of a line parallel to and 195 feet from the pierhead line along the southwest shore of Lido Isle; north of the south U. S. Bulkhead line off Lido Isle extended; southwest of a line parallel to and 120 feet from the pierhead line along the southwest shore of Lido Isle; and southeast of the north side of Via Barcelona, on Lido Isle, extended.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the city of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-2. East of the east side of 15th Street extended; north of a line parallel to and 250 feet from the pierhead line between 14th and 15th Streets, this line being the north line of Newport Channel, and extending east in a straight line to an intersection with a line bearing 268° from the flashing red beacon on the southeast end of Lido Islo, this line being the northwest line of the

main fairway; west of the east side of 13th Street extended; and south of a line parallel to and 220 feet from the pierhead line off the south shore of Lido Isle.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the city of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-3. A rectangular area, 40 feet wide and 885 feet long, on the west side of Upper. Bay Channel, 120 feet east of and parallel to the west pierhead line, the south end being 50 feet north from U.S. Bulkhead Station 130.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to Orange County Harbor Ordinance No. 490 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-4. South of a line bearing 268° from the flashing green beacon off Bay Island and passing through the beacon off 13th Street, this line being the south line of the main fairway; north of a line parallel to and 200 feet from the pierhead line off 11th to 8th Streets; and west of a line bearing 203° from the flashing red beacon at the south extremity of Bay Shores, passing through the pierhead line at the east end of Lido Isle.

Nore: This area is reserved for recreational

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-5 (Newport Harbor Yacht Club). East of a line bearing 23° from the center of the north end of 8th Street, being parallel to and 150 feet distant from the east end of Area A-4; north of a line parallel to and 200 feet from the pierhead line off 7th and 8th Streets; northwest of a line parallel to and 200 feet from the northwest plerhead line off Bay Island; and south of a line bearing 268° from the flashing green beacon off Bay Island and passing through the beacon off 13th Street, this line being the southerly line of the main fairway.

Note: This area is reserved for recreational and other small craft. Single moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for pleasure boats and yachts of such sizes and alignments as permitted by the harbor master.

Area A-6 Northwest of Harbor Island, beginning at a point on the Newport City line 107 feet from the angle point northwest of Harbor Island; thence 36°27' 55 feet; thence 303°18' 300 feet; thence 216°27' 72 feet; thence 165°12' 211 feet; thence 75°11'44'' approximately 216 feet, to the point of beginning.

Note: This area is reserved for recreational and other small craft. Fore and aft morngs will be allowed in this area conforming to Orange County Harbor Ordinance No. 490 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-7. East of a line parallel to and 150 feet from the east pierhead line off Bay Island; north of a line parallel to and 150 feet from the pierhead line off Fernando Street; northwest of the east side of Adams Street extended; and southwest of a line bearing 131° from the flashing green beacon off Bay Island, being parallel to and 100 feet southwest of the southwest line of the main channel.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Arca A-S. Northeast of a line parallel to and 270 feet from the couthwest plerhead line from Collins Isle to Balboa Island; north of a line bearing 311° from the flaching red beacon off the couthwest point of Balboa Island and passing through the flaching red beacon off the couth point of Bay Shore, this line being the northeast line of the main channel; southwest of a line parallel to and 150 feet from the couthwest plerhead line from Collins Isle to Balboa Island; and southeast of a line bearing 238° from U. S. Station 160.

Note: This area is reserved for recreational and other small craft. Fore and aft mearings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

mitted by the harbor master.

Area A-9. In Balboa Island Channel, east of a line bearing due north from U.S. Station 151, being 25 feet west of the end of Emerald Avenue; north of a line parallel to and 75 feet from the north plerhead line off Balboa Island; west of the east side of Amethyst Avenue extended; and south of a line parallel to and 150 feet from the north plerhead line of Balboa Island.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-10. Southeast of a line bearing 209° from the flashing red beacon on the southwest point of Balboa Island and passing through the east side of the end of "A" Street; north of an irregular line parallel to and 150 feet from the north plerhead line off Balboa Peninsula from "A" to "K" Streets; couth of the south line of the main channel; and south and southeast of an irregular line parallel to and 375 feet from the north plerhead line off Balboa Peninsula.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-11. Northeast of a line bearing 103° 30' from the flashing red beacon at the southwest point of Balboa Island, paceing through the flashing red channel buoy No. 4, this line being the northeast line of the main channel; north of a line parallel to and 350 feet from the south pierhead line off Balboa Island; west of the west bulkhead line of the Grand Canal extended; and couth of a line parallel to and 150 feet from the couth pierhead line off Balboa Island.

Note: This area is received for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area A-12 (Balboa Yacht Club). South of a line parallel to and 150 feet from the couth plerhead line off Balboa Island; west of the east and plerhead line off Balboa Island extended and bearing 161° north of a line parallel to and 700 feet from the couth plerhead line off Balboa Island; and east of a line parallel to and 1,000 feet from the east boundary, bearing 161° from the point of intersection of the east bulkhead line of Grand Canal and the couth bulkhead line off Balboa Island.

Note: This area is reserved for recreational and other small craft. Single moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for pleasure boats and yachts of such

sizes and alignments as permitted by the harbor master.

Area A-13. In Upper Bay Channel, beginning at a point 60 feet north of the north side of the State Highway bridge and 62 feet west of the adjudicated high-tide line; thence 20° 165 feet; thence 267°17′, 100 feet; thence 200° 165 feet; thence 87°17′ 100 feet, to the point of beginning.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to Orange County Harbor Ordinance No. 490 for recreational and small craft of such size and alignment as permitted by the harbor master.

Area B-1. Southeast of a line hearing 227from the flashing red heacon at the southwest corner of Lido Isle and being parallel
to and 200 feet from the pierhead line off
the southeast end of Rhine Point; northeast
of the southwest bulkhead line off Rhine
Point extended; north of a line parallel to
and 250 feet from the pierhead line between
15th and 18th Streats, this line being the
north line of Newport Channel; west of the
west side of 15th Street extended; and
south of a line parallel to and 220 feet from
the pierhead line off the south shore of Lido
Icle.

Nora: This area is reserved for commercial fishing vessels. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for boats licensed for commercial fishing of such sizes and alignments as permitted by the harbor master.

Area B-2. In Upper Bay Channel, beginning at the northeast corner of Area A-13; thence 207°17' 100 feet; thence 11° 195 feet; thence 111° 122 feet; thence 200° 153 feet, to the point of beginning.

Note: This area is reserved for commercial fishing vectels. Fore and aft moorings will be allowed in this area conforming to Orange County Harbor Ordinance No. 490 for commercial fishing boats of such size and alignments as permitted by the harbor master.

LOS ANGELES AND LONG BEACH HARBORS, CALIF.

Area A-I. North of a line 200 feet from and parallel to the axis of the San Pedro breakwater; northwest of a line extending from U. S. 207 to U. S. 214; southwest of a line bearing 125° from the tall concrete stack south of Fort MacArthur lower reservation; west of the bulkhead line extending south from U. S. "J" and bayward of the mean high tide line.

Nore: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to City Ordinance No. 79395. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

Area A-2. The outer basin of Fish Harbor, on the east and west sides of Fish Harbor entrance channel.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to City Ordinance No. 79395. Temporary floats or buoys for marking anchors or moorings in place will be allowed in the east portion of this area. Fixed mooring piles or stakes are prohibited in the entire area.

Area A-3. The basin lying inside of the jetty in front of the United States Naval Air Station (Reeves Field).

Station (Reeves Field).

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to City Ordinance No. 79395. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

mooring piles or stakes are prohibited.

Area A-4. The southeast end of the triangular area in East Basin, located between
the dredged channels and described as fol-

RULES AND REGULATIONS

lows: Beginning at U. S. Station 442; thence 128° 250 feet; thence 38° 67.67 feet, to true point of beginning; thence 67°10′40″, 2,000 feet; thence 337°10′40″, 1,116.74 feet; and thence 218° 2,290.66 feet, to the point of beginning. This area is designated as a special anchorage area subject to the condition that the City of Los Angeles Board of Harbor Commissioners define the area by lights at the three corners.

Note: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to City Ordinance No. 79895.

SANTA CATALINA ISLAND, CALIF.

Avalon Bay. Shoreward of a line connecting the promontories known as Casino Point and Bathhouse Point; excluding therefrom the fairways as established by the harbor master, City of Avalon.

Note: This area is reserved for yachts and other small craft. Moorings will be allowed in this area conforming to the City of Avalon Ordinance No. 264 of such size and alignment as permitted by the harbor master.

SANTA MONICA HARBOR, CALIF.

The waters inclosed by a line 1,000 feet southwest of and parallel to the axis of the Santa Monica breakwater and extending 2,000 feet northwest and 2,000 feet southeast of the ends of the breakwater, lines extending shoreward from and normal to each end of the said line, and the mean high tide line; excluding therefrom the fairways as established by the harbor master, City of Santa Monica.

Note: This area is reserved for small craft. Fore and att moorings will be allowed in this area conforming to the City of Santa Monica Harbor Ordinances Nos. 541, "05, 706, and 1356 for recreational and other small craft of such size and alignment as permitted by the harbor master. Fixed mooring piles or stakes are prohibited.

SANTA BARBARA HARBOR, CALIF.

North of the Santa Barbara breakwater; seaward of the line of mean high water; and southwest of a line bearing 46°30′ from the north corner of Bath Street and Cabrillo Boulevard to the end of the Santa Barbara breakwater; excluding a fairway 225 feet wide, 100 feet from each side of and parallel to the Navy pier.

Note: Fore and aft moorings will be allowed in this area conforming to the City of Santa Barbara Harbor Ordinance No. 2106 for yachts and small craft of such size and alignment as permitted by the harbor master.

SAN LUIS OBISPO BAY, CALIF.

* * * • • • Morro Bay Harbor, Calif.

Arca A-1. Opposite the town of Morro, beginning at a point 200 feet west of the east channel line along the prolongation of the centerline of Eighth Street; thence due west to the mean high water line on the peninsula; thence along the mean high water line on the peninsula to a point on the prolongation of the axis of the south breakwater; thence northeast to an intersection with a line 200 feet from and parallel to the east channel line, this intersection being on the prolongation of the centerline of Fourth Street; thence north along a line 200 feet from and parallel to the east channel line to the point of

Note: This area is reserved for small craft. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

beginning.

Area A-2. Beginning at a point on the channel line opposite the angle point near the south end of the revetment; thence southeast along the east channel line to the end of the channel; thence 166°30' to White

Point; thence along the mean high tide line north to the angle point near the south end of the revetment; thence southwest to the point of beginning.

Note: This area is reserved for small craft. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

§ 202.80 San Diego Harbor Calif.—
(a) The anchorage grounds. The anchorage grounds for general use shall include all the navigable waters of the harbor except the special anchorage areas described in § 202.1, the seaplane restricted area described in section 207.612 of this chapter, and the following:

- (1) Non-anchorage area. A lane from San Diego to Coronado, the east limit of which extends southward from the intersection of Harbor and Kittner Boulevards to the northwest corner of the Union Oil Company wharf in Coronado, and the west limit of which is the projection of a line 315° from the intersection of Pacific Highway and Harbor Boulevard extended to a point of intersection with a line projected due north from the intersection of First Street and "E" Avenue, Coronado.
- (2) Special anchorage for U.S. Government vessels. West of a line extending from Ballast Point Light and bearing approximately 351°30′ to the shore end of the Quarantine Dock.
- (3) Temporary naval anchorage. Beginning at North Tower, Coronado Heights; thence 25°30′ 2,500 yards, to latitude 32°37′16″, longitude 117°07′00″ thence 354°30′ to a point 1,787.8 feet south of U. S. Pierhead Line Station 311, thence 263°24′28″ approximately 1,500 feet, to point "d" on the west boundary line of the seaplane restricted area; thence southerly and southwesterly along the boundary line of the seaplane retricted area through points "e" and "f" to point "g" thence southerly along the mean high tide line to its intersection with the line bearing 25°30′ from the point of beginning.

Note: All bearings in this section referred to true meridian.

- (b) The regulations. (1) Vessels anchoring in portions of the harbor other than those referred to in paragraph (a) of this section shall leave a free passage for other craft and shall not unreasonably obstruct the approach to the wharves in the harbor.
- (2) The non-anchorage area described in paragraph (a) (1) of this section is reserved exclusively for submerged pipe lines, power cables, and communication cables. No vessels shall anchor in this area at any time.
- (3) The special anchorage described in paragraph (a) (2) of this section is reserved exclusively for the anchorage of vessels of the United States Government and of authorized harbor pilot boats. No other vessels shall anchor in this area except by special permission obtained in advance from the Commandant, Eleventh Naval District, San Diego, California.

(4) The temporary naval anchorage described in paragraph. (a) (3) of this section is reserved as a special anchorage for vessels of the United States and authorized harbor pilot boats. At such periods as the area may not be required

for the use of naval craft, navigation by other craft may be permitted provided permission is obtained in advance from the Commandant, Eleventh Naval District, San Diego, California.

- § 202.82 Newport Bay Harbor, Calif,—
 (a) The anchorage grounds—(1) Temporary Anchorage C-1. Southeast of a line parallel to and 170 feet from the pierhead line at the east end of Lido Isle; north of a line parallel to and 250 feet north of a line bearing 268° from the flashing green beacon off Bay Island and passing through the beacon off 13th Street, this line being the north line of the main fairway; northwest of a line 120 feet in length bearing 203° from the point of the pierhead line off the west end of Harbor Island; and southwest of the pierhead line off the northeast shore of Lido Isle extended.
- (2) Temporary Anchorage C-2. East of the pierhead line off the east end of Balboa Peninsula extended and bearing 345° northeast of a line parallel to and 200 feet from the pierhead line off the shore of Corona del Mar; west of a line parallel to and 100 feet from the pierhead line off the southwest shore of Corona del Mar; and southwest of a line parallel to and 100 feet from the pierhead line off the shore of Corona del Mar.

Note: All bearings in this section referred to true meridian.

- (b) The regulations. (1) Vessels may anchor temporarily in those areas when necessary and space permits, but shall move promptly when the necessity passes or upon order of the harbor master.
- (2) Vessels anchoring in these areas shall comply with all applicable Pilot Rules, including that requiring anchor lights at night.
- (3) Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited.
- § 202.84 Los Angeles and Long Beach Harbors, Calif.—(a) The anchorage grounds—(1) Commercial and Naval Anchorage B (Los Angeles Harbor) North of a line 200 feet from and parallel to the axis of the San Pedro Breakwater; southeast of a line ranging from U. S. 207 toward U. S. 214; southwest of a line bearing 125° from the tall concrete stack south of Fort MacArthur lower reservation; south of a line bearing 75° from U. S. 209 (white cross near the west end of the San Pedro Breakwater), and west of a line bearing 172° from Fish Harbor 2 Light and passing through the east white cross on the San Pedro Breakwater.

(i) In this area the requirements of commercial ships will predominate. In case of Navy requirements, see subparagraph (2) (iv) of this paragraph.

- (ii) Vessels requiring examination by quarantine, customs, or immigration authorities for the ports of Los Angeles and Long Beach may anchor in this area when Quarantine Anchorage F is not available for this purpose.
- (iii) Fixed mooring piles or stakes and floats or buoys for marking anchors or moorings in place are prohibited.

Note: All bearings in this section referred to true meridian.

(2) Commercial Anchorage C (Los Angeles Harbor) North of a line 200 feet from and parallel to the axis of the Middle Breakwater; north of a line, about 3,000 feet long, bearing 293° from Los Angeles Entrance East Light; east of a line bearing 152° from Fish Harbor 2 light; west of a line bearing 338° from the white cross near the west end of the Middle Breakwater; and bayward of the line of mean high water; excepting therefrom Non-Anchorage Area I.

(i) In this area the requirements of commercial ships will predominate. Vessels requiring examination by quarantine, customs, or immigration authorities for the ports of Los Angeles or Long Beach may anchor in this area when Quarantine Anchorage F is not available for this purpose.

(ii) A portion of this anchorage is reserved for use as an emergency seaplane landing area whenever a necessity arises therefor. See section 207.617 of this chanter

(iii) Fixed mooring piles or stakes and floats or buoys for marking anchors or moorings in place are prohibited.

(iv). The established anchorage for naval vessels having been found inadequate at times, when an especially large number of naval vessels are gathered in the harbor, a special anchorage chart overlay for naval anchorages superimposed on U.S. Coast and Geodetic Survey Chart No. 5148 (not published in this section) will be prepared showing a numbered series of anchorages in order that a naval vessel may be ordered to proceed to a designated numbered anchorage in the harbor. Those designated anchorages, with the exception of those in naval anchorages D and E, which are primarily for naval vessels, are not set aside for the exclusive use of naval vessels, but permission will be given for naval vessels to use them when available. When the Captain of the Port receives notification from the proper naval authorities that it is desired to utilize the specially-numbered naval anchorages in Anchorages B, C, F, or G, he will authorize the use by naval vessels of the required numbers if they can be made available, the commercial conditions at the time being given proper consideration. If, in the opinion of the Captain of the Port, there are sufficient reasons why the numbers first asked for should not be used, he will confer with the naval officer making the request and if other numbers can be agreed upon he will authorize their use.

(3) Naval anchorage. East of a line bearing 338° from a white cross near the west end of the Middle Breakwater, said line being the easterly boundary line of Commercial Anchorage C; north of a line parallel to and 200 feet from the axis of the Middle Breakwater; southwest of a line bearing 310° from Long Beach Entrance West Light and passing through the east end of the Navy Mole; south and west of a line 200 feet from the bayward side of the Navy Mole; and south of the jetty forming the basin for special anchorage area A-3 described in § 202.1.

(i) In this area the requirements of the naval service will predominate. Vessels other than those of the Navy may anchor temporarily in this area when necessary and space permits. Whenever this area is required for the anchoring of naval vessels, it shall be immediately cleared of commercial vessels by the Captain of the Port upon request of the appropriate naval authority.

(ii) The southeast and southwest portions of this anchorage are reserved for use as explosives anchorages whenever a necessity arises therefor. See subparagraphs (8) (i) and (ii) of this paragraph.

(iii) A portion of this anchorage is reserved for use as an emergency seaplane landing area whenever a necessity arises therefor. See § 207.617 of this chapter.

(iv) Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited, except those which may be required by the Navy and approved by the Captain of the Port.

(4) Naval Anchorage E (Long Beach Harbor) North of a line 200 feet from and parallel to the axis of the Long Beach Breakwater; northeast of a line bearing 309° from the west end of the Long Beach Breakwater and passing through the south end of the Long Beach Mole; south of a line 5,500 feet from and parallel to the axis of the Long Beach Breakwater; east of a line bearing due north from the center of the opening between the Middle and Long Beach Breakwaters; south of a line bearing 101°from the south end of pier D; and west of a line bearing due north from the east end of the Long Beach Breakwater.

(i) In this area the requirements of the naval service will predominate. Vessels other than those of the Navy may anchor temporarily in this area when necessary and space permits. Whenever this area is required for the anchoring of naval vessels, it shall be immediately cleared of commercial vessels by the Captain of the Port upon request of the appropriate naval authority.

(ii) Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited, except those which may be required by the Navy and approved by the Captain of the Port.

(iii) The southwest portion of this anchorage is reserved for use as an explosives anchorage whenever a necessity arises therefor. See subparagraph (8) (iii) of this paragraph.

(5) Quarantine Anchorage F East of a line bearing 172° from Fish Harbor 2 Light and passing through the east white cross on the San Pedro Breakwater; southwest of a line bearing 302° from the Los Angeles Harbor Light Station; and northerly of a line parallel to and 200 feet from the axis of the San Pedro Breakwater.

(i) Vessels arriving at quarantine and awaiting inspection will anchor in this anchorage, except that if space in this anchorage is not available then any available anchorages in Anchorages B and C may be temporarily occupied for examination. In case of Navy requirements, see subparagraph (2) (iv) of this paragraph.

(ii) No vessels, except those awaiting quarantine inspection or clearance, will anchor in the quarantine anchorage except in cases of emergency. All vessels so anchored will vacate this area as soon as the emergency ceases.

(iii) U.S. Public Health Service Quarantine Laws and Regulations of the United States are quoted in part as follows: "Paragraph 34—Every vessel subject to quarantine inspection, entering a port of the United States, its possessions or dependencies, shall be considered in quarantine until given free pratique. Such vessel shall fly a yellow flag at the foremast head and shall observe all the other requirements of vessels actually quarantined."

(6) Commercial Anchorage G (Long Beach Harbor). North of a line 5,500 feet from and parallel to the axis of the Long Beach Breakwater; southeast of a line 1,000 feet from and parallel to the outer arm of pier A, southwest of a line bearing 116° from the end of the pier A enrockment; and west of a line bearing due north from the center of the opening between the Middle and Long Beach Breakwaters.

(i) In this area the requirements of commercial ships will predominate. In case of Navy requirements, see subparagraph (2) (iv) of this paragraph.

(ii) Fixed mooring piles or stakes and floats or buoys for marking anchors or moorings in place are prohibited.

(7) Non-Anchorage Area I. An area extending 1,300 feet south from the north boundary line of Anchorage C, 300 feet wide on each side of the prolongation of the centerline of Ferry Street. This non-anchorage area is established for the protection of a submerged outfall sewer pipeline. The City of Los Angelés Board of Harbor Commissioners will mark this area with signs reading "Do not anchor in this area."

(8) Explosives anchorages—(i) No. 1. That portion of Anchorage D described as a circular area of 900-foot radius, with center bearing 266° 4,650 yards, from Long Beach Entrance West Light.

(ii) No. 2. That portion of Anchorage D described as a circular area of 900-foot radius, with center bearing 276° 2,975 yards, from Long Beach Entrance West Light.

(iii) No. 3. That portion of Anchorage E described as a circular area of 930-foot radius, with center bearing 69° 2,260 yards, from Long Beach Entrance West Light.

(iv) Explosives anchorages shall be used by vessels only by notification to and permit by the Captain of the Port.

(v) When an explosives anchorage is occupied by a vessel carrying, loading, or unloading explosives, a circular zone of 600 yards or of 1,000 yards surrounding the explosives anchorage, as the Captain of the Port may determine, may be declared by the Captain of the Port to be a forbidden anchorage in the interest of port security and the commerce of the United States. Vessels within such circular zone, upon being notified by the Captain of the Port to move or shift position, shall get under way at once or signal for a tug and shall change positions, as directed, with reasonable promptness.

(vi) In Explosives Anchorages No. 1 and No. 2 naval vessels have priority and in Explosives Anchorage No. 3 commer-

cial vessels have priority. When vacant, any anchorage may be assigned at the discretion of the Captain of the Port.

(vii) When all explosives anchorages are occupied, the Captain of the Port may assign suitable space in Anchorages D or E if available.

(b) The regulations. (1) Except in cases of great emergency, no vessel shall be anchored in the navigable waters of Los Angeles and Long Beach Harbors outside of the anchorages established in this section.

(2) Anchors must not be placed outside the anchorages, nor shall any portion of the hull or rigging at any time extend outside the boundaries of the anchorages.

- (3) Any vessel anchoring under circumstances of great emergency outside of the anchorages must be placed near the edge of the channel and in such position as not to interfere with free navigation of the channel nor obstruct the approach to any pier nor impede the movement of any vessel, and shall move away immediately after the emergency ceases, or upon notification by the Captain of the Port.
- (4) No vessels, other than those of the United States Government, shall anchor in any of the established anchorages nor in any other areas within the outer Los Angeles and Long Beach Harbors, as defined by the limits of the San Pedro Breakwater, the Middle Breakwater, and the Long Beach Breakwater, nor closer than one mile to any point of said breakwaters in the waters seaward thereof, while carrying, loading, or unloading explosives in quantities in excess of 500 tons. Vessels engaged in the transportation of explosives in quantities of 500 tons or less may occupy that portion of Anchorages D or E designated as explosives anchorages, subject to the conditions stated in paragraph (a) (8) (iv)-(vii) of this section.
- (5) The instructions of the Captain of the Port assigning vessels to parts of anchorage grounds suitable to their draft. requiring vessels to anchor bow and stern, or with two bow anchors, requiring shifting the anchorage of any vessel within any anchorage ground for the common safety or convenience, or for otherwise enforcing the regulations in this section, shall be promptly followed by owners, masters, and persons in charge of vessels.
- (6) Permission to anchor in the channels within the limits of Los Angeles and Long Beach Harbors may be granted by the Captain of the Port to a plant or vessels engaged in recovering sunken property or in laying or repairing pipe or cable lines legally established, when approved by the District Engineer, Corps of Engineers, and to a plant or vessels engaged in dredging operations when authorized by the District Engineer. The provisions of this subparagraph shall not apply to a plant or vessels engaged under the supervision of the District Engineer upon works for the improvement of the harbor, but the District Engineer will advise the Captain of the Port in all cases where a plant is to be employed under his supervision.

(7) Nothing in this section shall be construed as relieving the owner or per-

son in charge of any vessel or plant from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

§ 202.86 Pacific Ocean at Santa Catalina Island, Calif.—(a) The anchorage grounds-(1) Descanso Bay. Shoreward of a line connecting the promontories known as White Rock and Casino Point.

- (2) Isthmus Cove. All waters shoreward of a line connecting the promontories known as Lion Head and Blue Cavern Point, excluding the followingdescribed non-anchorage area. An area 300 feet wide (170 feet west and 130 feet east of the centerline of the Catalina Island Steamship Line pier) extending 1,600 feet from the root of the pier, and an area 150 feet seaward of the shore line extending approximately 1,500 feet east and 1,500 feet northwest of the centerline of said pier.
- (b) The regulations. (1) The Descanso Bay anchorage is reserved for yachts and other small craft. Floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.
- (2) The Isthmus Cove anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.
- (3) The non-anchorage area described in paragraph (a) (2) of this section shall be used only by commercial vessels. Commercial vessels of 15 feet draft or over may anchor in this area seaward of the Catalina Island Steamship Line pier during hours between sunrise and sunset. The use of this area for anchorage is forbidden to all other craft at all times. Fixed mooring piles or stakes and floats or buoys for marking anchors or moorings in place are prohibited.

(4) The instructions of the Captain of the Port requiring vessels to anchor bow and stern, or with two bow anchors, or requiring shifting the anchorage of any vessel within the anchorage grounds for the common safety or convenience, or for otherwise enforcing the regulations in this section, shall be promptly complied with by owners, masters, and persons in charge of vessels.

(5) Nothing in this section shall be construed as relieving the owner or person in charge of any vessels or plant from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

§ 202.88 Pacific Ocean at San Clemente Island, Calif., in vicinity of Wilson Cove - (a) The anchorage grounds. Shoreward of a line beginning at a point on the beach bearing 153° true, 1,400 yards, from the flashing green light on the southeast headland at Wilson Cove; thence 62° true, 0.67 nautical mile; thence 332° true, 1.63 nautical miles; thence 241° 31' true to the shore line.

- (b) The regulations. (1) This area is reserved exclusively for anchorage of United States Government vessels or vessels temporarily operating under Government direction, and no vessel, except in an emergency, shall anchor in the area without first obtaining permission from the Commandant, Eleventh Naval Dis-trict, or the Senior Naval Officer present who shall in turn notify the Commandant promptly.
- (2) No vessel shall anchor in such a manner as to unreasonably obstruct the approach to the wharf.
- § 202.90 Pacific Ocean at San Nicolas Island, Calif., restricted anchorages-(a) The anchorage grounds—(1) East area. All waters within a circle having a radius of one nautical mile centered at the eastermost light on the east end of
- San Nicolas Island.
 (2) West area. Shoreward of a line bearing 276° true from San Nicolas Island south side light a distance of six nautical miles; thence to a point bearing 270° true, two nautical miles, from the westermost point of the island; thence 60° to a point due north of the northermost point of the island; thence 180° true to the shore.
- (b) The regulations. Except in an emergency no vessel shall anchor in these restricted areas without authority of the Commandant, Eleventh Naval District. Cargo vessels destined for San Nicolas Island may anchor in the east area for unloading or loading.
- § 202.92 Pacific Ocean at Santa Barbâra Island, Calif.—(a) The anchorage grounds. Shoreward of a line beginning at the Santa Barbara Island Light on the northeast end of the island and bearing 23° true a distance of 1.515 nautical miles seaward from the beach; thence 140°30' true, 2.54 nautical miles; thence 212°30' true, 2.30 nautical miles; thence 296°30' true, 0.96 nautical mile: and thence 325° true to the beach.
- (b) The regulations. The anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors in place will be permitted in this area.
- § 202.94 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River and connecting waters, Calif.—(a) San Francisco Bay—(1) Anchorage No. 1 (temporary) Bounded by the north shore of the City of San Francisco and lines joining points which are the following bearings and distances from Alcatraz Light: 193°30′, 2,170 yards; 234°30′ 1,135 yards; 251°, 2,260 yards; 251° 4,210 yards; and 234°30′ (4,410 yards.
- (i) Except as otherwise provided in this subparagraph, this anchorage is a temporary anchorage reserved for the use of vessels entering port while undergoing examination by quarantine, customs, or immigration authorities. Upon completion of these examinations, vessels shall promptly move out of this anchorage. Yachts may anchor in that portion of this area bounded by the shore and lines joining points which are the following bearings and distances from Alcatraz Light: 215°30', 2,840 yards; 219°30', 2,650 yards; 230°, 3,380 yards;

-227° 3,500 yards. No permanent moormgs shall be placed in the latterdescribed area.

Nore: All bearings in this section referred to true meridian.

- (2) Anchorage No. 2 (general) That portion of Richardson Bay north of a line bearing 257° from Peninsula Point to the shore at Sausalito, except so much of the area as is included in Naval Anchorage No. 11 and the improved channel to and the turning basin at Sausalito.
- (3) Anchorage No. 3 (general) That portion of Belvedere Cove west of a line bearing 25°30' from Peninsula Point to the shore at Tiburon.
- (4) Anchorage No. 4 (general) Bounded by the westerly shore of San Francisco Bay and the following lines: Beginning at the shore at Bluff Point; thence to a point bearing 286° 3,630 yards, from Southampton Shoal Light; thence to a point bearing 228° 4,450 yards, from East Brother Island Light; thence along a line bearing 266° to the shore south of Point San Quentin; except so much of the area as is included in the Restricted Area at the Naval Net Depot, Tiburon; Quarantine Anchorage No. 17 when that anchorage is being used for quarantine purposes; and the outer boundary of the forbidden anchorage Zone surrounding Explosives Anchorage
- (5) Anchorage No. 5 (general). Bounded by the easterly shore of San Francisco Bay and the following lines: Beginning at the shoreward end of the Standard Oil Wharf at Point Orient; thence along said wharf to the southwest corner thereof; thence to a point bearing 334° 30′ 4,050 yards, from Southampton Shoal Light; thence along a line bearing 93° to the shore; except so much of this area as lies within the Restricted Area at the Naval Fuel Annex, Molate Point; and within the improved channel to Richmond Inner Harbor.
- (i) Vessels may anchor in this anchorage immediately adjacent to the improved channel to Richmond Inner Harbor: Provided, That ships obstructing the said channel must move from their position immediately if and when the fairway is required by vessels navigating the channel.
- (6) Anchorage No. 6 (general) Bounded by the easterly shore of San Francisco Bay and the following lines: Beginning at the shore at the southernmost extremity of Point Isabel; thence along the northerly shore of Brooks Island to the training wall extending westerly therefrom; thence westerly along said training wall to its bayward end; thence to a point bearing 104° 1,035 yards, from Treasure Island North End Light; thence along a line bearing 144° 30' to a point 290 yards northerly of • the center of Pier K of the San Francisco-Oakland Bay Bridge; thence along a line bearing 71° to the shore; excluding from this area, however, the cable areas therein.
 - (7) Anchorage No. 7 (general). That portion of San Francisco Bay bounded by the westerly shore of Treasure Island and the following lines: Beginning at the northwest corner of Treasure Island at a

point bearing 89° 4,135 yards, from Alcatraz Light; thence to points which are the following bearings and distances from Alcatraz Light: 73° 30′ 3,100 yards, 111° 3,070 yards; 123°, 4,335 yards; and 108° 5,100 yards.

(8) Anchorage No. 8 (general). That portion of San Francisco Bay east of the City of San Francisco the corners of which are the following bearings and distances from the center of the anchor pler (Pier C) of the San Francisco-Oakland Bay Bridge: 118°, 2,635 yards; 175° 30′ 2,420 yards; 172° 3,470 yards; and 168° 3,520 yards.

(9) Anchorage No. (general). Bounded on the north by the shore, the breakwater and turning basin at the Naval Air Station, Alameda, and a line from Air Station Channel Lighted Buoy 6 to Air Station Channel Entrance Lighted Buoy 2; bounded on the west by a line beginning at Air Station Channel Entrance Lighted Buoy 2, thence to a point bearing 17°, 4,050 yards, from Hunter Point Light, thence to a point bearing 343°30' 4,000 yards, from Hunter Point Light, thence to a point bearing 343°30' 3,330 yards, from Hunter Point Light, and then 146°; bounded on the south by a line 1,000 yards northerly from and parallel to the Hayward-San Mateo Bridge; and bounded on the east by the shore, including all of San Leandro Bay. The following areas are excluded from this anchorage: The scaplane restricted area at the Naval Air Station, Alameda, described in § 207.640 (d) (1) of this chapter; Explosives Anchorage No. 14, Explosives Storage Anchorages No. 15 and No. 16, and the forbidden anchorages surrounding these three anchorages, described in subparagraphs (15), (16), and (17) of this paragraph.

(10) Anchorage No. 9-A (general) Shoreward of the following lines: Beginning at the outer end of the south fender of the former automobile ferry slip at the end of the Alameda Mole; thence 270° 400 yards; thence 216° approximately 2,000 yards; thence along a line bearing 127° from Alcatraz Light, 1,200 yards; thence 36° to the shore; excluding the cable area adjacent to the Alameda Mole.

(11) Anchorage No. 10 (naval). The triangular-shaped area immediately east of Sausalito northwest of a line bearing 234° from Point Stuart Light, and southwest of a line bearing 303° from Alcatraz Light.

(1) This anchorage is for the use of public vessels of the United States, but may be used by yachts when not required for use by public vessels. All yachts making use of this anchorage shall be prepared to move immediately upon notice should the anchorage be required for public vessels. With the permission of the Captain of the Port, permanent yacht moorings may be placed within this anchorage, not more than 900 feet from the shore.

(12) Anchorage No. 11 (naval). That portion of Richardson Bay the corners of which are the following bearings and distances from Point Stuart Light: 273°, 1,150 yards; 271°, 2,520 yards; 257°30′, 2,580 yards; and 248°30′, 1,530 yards; excluding so much of this area as lies within the improved channel to Sausalito.

(i) This anchorage is reserved for the exclusive use of vessels and seaplanes of the United States Navy.

(13) Anchorage No. 12 (naval) That portion of San Francisco Bay east of the City of San Francisco the corners of which are the following bearings and distances from the center of the anchor pier (Pier C) of the San Francisco-Oakland Bay Bridge; 95° 3,035 yards; 110° 980 yards; 183° 1,170 yards; 175°30′ 2,420 yards; and 118° 2,635 yards.

(i) This anchorage is reserved for the

(i) This anchorage is reserved for the use of vessels of the United States or foreign navies and for other public vessels of the United States. With the permission of the Captain of the Port this anchorage may be used temporarily by vessels other than public vessels, but vessels availing themselves of this privilege must hold themselves in readiness to shift berth immediately upon receiving notice to do so.

(14) Anchorage No. 13 (explosives) A circular area having a radius of 1,000 feet about a white buoy used to mark the location of this anchorage bearing 28° 2,000 yards, from the most northerly extremity of California Point.

(i) This anchorage is for the use of vessels loaded with, loading, or unloading explosives, and this anchorage shall not be used by any other vessel. This provision is not intended to prohibit lighters and barges from tying up alongside ships for transfer of cargo.

(ii) The circular zone 2,000 feet wide partially surrounding this anchorage is forbidden anchorage and shall not be used as anchorage by any vessels. The additional area included by a 2,000-yard radius is a danger area to be vacated by all vessels when so directed by the Captain of the Port.

(15) Anchorage No. 14 (explosives). A circular area having a radius of 1,500 feet about a white buoy used to mark the location of this anchorage bearing 100° 30′, 3,950 yards, from Hunter Point Light.

(1) This anchorage is for the use of vessels loaded with, loading, or unloading explosives, and this anchorage shall not be used by any other vessel. This provision is not intended to prohibit lighters and barges from tying up alongside ships for transfer of cargo.

(ii) The circular zone 1,500 feet wide surrounding this anchorage is forbidden anchorage and shall not be used by any vessels.

(iii) This anchorage and the surrounding zone of forbidden anchorage may be temporarily discontinued by the District Engineer, Corps of Engineers, San Francisco, California, when the area occupied by them is required for general anchorage purposes.

(16) Anchorage No. 15 (explosives storage). An area 3,000 feet square whose center is marked by a white buoy bearing 124°30′, 9,835 yards, from Hunter Point Light, and whose sides are due north-south and east-west.

(i) This anchorage is for the purpose of storage of explosives. Barges and vessels shall be anchored so as not to approach within 500 feet of one another. All barges using this anchorage for storage purposes shall anchor with two or more anchors. The Captain of the

Port may authorize the placing of moorings within this area, provided these moorings are so placed that barges at one mooring shall at all times be not less than 500 feet from barges at an adjacent mooring.

(ii) The square zone 1,500 feet wide surrounding this anchorage is forbidden anchorage and shall not be used by any vessels.

(17) Anchorage No. 16 (explosives storage) An area 3,000 feet square the northeast corner of which is marked by a white pile dolphin bearing 270° 2,900 yards, from Roberts Landing, and whose sides are due north-south and east-west.

(i) This anchorage is for the purpose of storage of explosives. Barges and vessels shall be anchored so as not to approach within 500 feet of one another. All barges using this anchorage for storage purposes shall anchor with two or more anchors. The Captain of the Port may authorize the placing of moorings within this area, provided these moorings are so placed that barges at one mooring shall at all times be not less than 500 feet from barges at an adjacent mooring.

(ii) The square zone 1,500 feet wide surrounding this anchorage is forbidden anchorage and shall not be used by any

vessels.

(18) Anchorage No. 17 (quarantine) An area 3,000 feet square, the easterly side of which is coincident with the easterly boundary of Anchorage No. 4 and the northeasterly corner of which is on the said easterly boundary 97° 30′ 2,250 yards, from the northerly extremity of California Point.

Note: This anchorage is under the jurisdiction of the Medical Officer in charge of the Port of San Francisco and is included in this section for information only.

(b) San Pablo Bay — (1) Anchorage No. 18 (general) Bounded by the-westerly shore of San Pablo Bay and the following lines: Beginning at the shore at Point San Pedro; thence along a line bearing 90° the easterly of the Sisters Islands; thence to points which are the following bearings and distances from Petaluma Creek Light and Echo Board 2 at the entrance to the dredged channel to Petaluma Creek: 185° 30′ 1,570 yards; and 284° 30′ 5,435 yards; excluding from this area, however, the channel to Hamilton Field and the extension of said channel easterly to the boundary of the anchorage, and the pipe line area therein.

(2) Anchorage No. 19 (General) Bounded by the northeasterly shore of San Pablo Bay and the following lines: Beginning at the shore at a point bearing 6° 30′ 6,400 yards, from Petaluma Creek Light and Echo Board 2 at the entrance to the dredged channel to Petaluma Creek; thence to points which are the following bearings and distances from Petaluma Creek Light and Echo Board 2: 175° 30′ 9,070 yards; 132° 7,530 yards; 105° 30′ 9,870 yards; 97° 30′ 13,740 yards; 95° 30′ 13,740 yards; and thence along the long dike extending southwesterly from Mare Island to the shore at Mare Island.

Note: See § 204.112 covering a target practice area in San Pablo Bay adjacent to the westerly shore of Mare Island for use of the Mare Island Navy Yard.

(3) Anchorage No. 20 (general) Bounded by the southeasterly shore of San Pablo Bay and the following lines: Beginning at the Northeast corner of Parr Terminal No. 4 at Point San Pablo; thence to a point bearing 14°, 1,135 yards, from the northeast corner of the wharf at Pinole Point; thence to the northwest corner of the wharf of the Union Oil Company at Oleum; and thence along the said wharf to the shore; excepting from this area Explosives Anchorages No. 22 and No. 23.

(4) Anchorage No. 21 (naval) A rectangular area south of Mare Island the corners of which are the following bearings and distances from the tall stack at the Selby Smelting Works: 331°30′ 1,285 yards; 300°30′ 1,830 yards; 286°30′ 1,530 yards; and 321 800 yards.

(5) Anchorage No. 22 (explosives) A circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Giant Powder Company's wharf at Pinole Point.

(i) This anchorage is for the use of vessels loaded with, loading, or unloading explosives, and shall not be used by

any other vessel.

(6) Anchorage No. 23 (explosives) A circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Hercules Powder Company's wharf at Refugio Landing.

(i) This anchorage is for the use of vessels loaded with, loading, or unloading explosives, and shall not be used by

any other vessel.

(c) Carquinez Strait—(1) Anchorage No. 24 (general) Bounded by the northerly shore of Carquinez Strait and lines joining points which are the following bearings and distances from Port Costa Light: 332°30, 1,820 yards; 347°, 1,330 yards; 347° 710 yards; and 109°30′ 1,800 yards; excluding, however, that portion of the cable area lying therein.

(2) Anchorage No. 25 (general)
Bounded by the south shore of Carquinez
Strait and lines joining points which are
the following bearings and distances
from Benicia City Wharf Light: 145°30'
2,970 yards; 141° 1,970 yards; and 234°.

1,300 yards.

(d) Sussum Bay—(1) Anchorage No. 26 (general) On the west side of Suisum Bay adjacent east and northeast of the City of Benicia within the following boundaries: The northeast edge of the Southern Pacific Bridge from the northeshore to the first siren; thence 77°30′550 yards; thence 35°, 6,650 yards; thence 44° 2,100 yards; thence 314° to the shore; thence along the shore to the point of beginning.

(i) The area in this anchorage between the rows, and extending 150 feet on all sides, of vessels of the United States Maritime Commission moored therein is designated as a restricted area.

(ii) Except in cases of emergency, and as otherwise provided in this subparagraph, vessels other than those owned, operated, or controlled by the United States or the State of California are excluded from the restricted area. The imboard area, which is the area between the shore line and the shoreward end of each row of vessels, shall be accessible to sportsman during the open season for waterfowl, and also to any small craft in

the event of emergency or bad weather. Private craft using the inboard area shall do so at their own risk, and shall avoid obstructing the movement of vessels and other small craft necessary in the operations of the Maritime Commission in the maintenance of its fleet in this anchorage. Private small craft shall be permitted to enter the inboard area for the purpose of landing, docking, or discharging passengers on shore opposite the restricted area; however, they shall not be permitted to use any of the Maritime Commission's shore facilities for this purpose. The regulations in this subparagraph shall be enforced by the U. S. Maritime Commission, Suisum Bay, California Reserve Fleet, Benicia, California, and such agencies as it may designate.

(2) Anchorage No. 27 (general) An area in the northeast portion of Suisum Bay lying east of a line due north through tripod on Roe Island at Preston Point; north of a line bearing 84° from fixed range light located 1,187 yards to the southwest of said tripod on Roe Island, to old lighthouse at the most southerly point of Roe Island; thence bearing 101° to Middle Ground Light; thence bearing

88° to Chipps Island.

(e) San Joaquin River—(1) Anchorage No. 28 (general) An area adjacent to Lower Sherman Island lying southeasterly of a line 2,900 feet long bearing 238° from Sherman Island North End Light; easterly of a line 7,500 feet long bearing 163°30′ from the west end of said 2,900-foot line; northerly of a line 1,500 feet long bearing 73°30′ from the southerly end of said 7,500-foot line; easterly of a line bearing 163°30′ from the easterly end of said 1,500-foot line; and northerly of a line bearing,27° from New York Slough East End Light and Echo Board to Sherman Island.

(2) Anchorage No. 29 (general) The entire water area southerly of West Island and the mainland lying between lines bearing 150° from the eastern extremity of West Island and 211° from the western ex-

tremity of West Island.

(f) General regulations. (1) Except in cases of distress, great emergency, or heavy fog, no vessel shall be anchored in the navigable waters of San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisum Bay, New York Slough, San Joaquin River Deep Water Channel, and the Stockton Turning Basin, California, outside of the anchorages defined and established in this section, nor anchor within an improved channel or a cable or pipe line area shown on Government charts, nor be moored, anchored, or made fast to any pier, wharf, bulkhead, or vessel in such manner as to impede or endanger the passage of any vessel in transit by, or to or from, adjacent wharves, piers, slips, or navigation channels.

(2) Whenever in the opinion of the Captain of the Port such action may be necessary, that officer may require any or all vessels in any designated anchorage area to moor with two or more anchors. (Vessels using Anchorages No. 15 and No. 16 for the purpose of storage of explosives will be required to anchor with two or more anchors at all times.)

- (3) Every vessel whose crew may be reduced to such number that it will not have sufficient men on board to weigh anchor at any time shall be anchored with two anchors, with mooring swivel put on before the crew is reduced or released.
- (4) Anchors shall not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging extends outside the boundaries of the anchorage area.
- (5) Vessels anchoring outside of the designated anchorage areas or in the San Joaquin River Deep Water Channel or Stockton Turning Basin because of distress or heavy fog, shall be placed as near the edge of the channels or turning basin as possible, and in such position as not to interfere with the free navigation thereof, nor obstruct the approach to any pier, wharf, slip, or boat harbor. They shall move from such position as soon as the emergency ceases or when ordered by the Captain of the Port or by his duly authorized representative.

(6) The anchorages will be used only for the purposes stated for each and under the special limitations applicable thereto.

thereto.

(7) The Captain of the Port shall assign berths in the anchorages to all vessels applying for such permission. He may grant permits to those vessels habitually maintaining and using the same mooring place in an anchorage area, and no vessel shall occupy a permanent berth in an anchorage area except under authority of such permit which may be revoked at any time.

(8) A vessel, upon being notified to move into the anchorage limits or to shift its position in the anchorage grounds shall get under way at once or obtain a tug and change its position with reasonable promptness, as directed.

(9) Whenever required by maritime or commercial interests of the United States, the Captain of the Port is empowered to shift the position of any vessel anchored within or outside of an anchorage area, of any vessel which is so moored or anchored that its position impedes or obstructs vessel movements in any channel or obstructs or interferes with range lights, and of any vessel which, lying at the exterior end of a pier or alongside of a wharf or bulkhead, obstructs or endangers the passage of vessels to or from adjacent wharf property or impedes the movement of vessels entering or leaving slips and boat harbors.

(10) Permits to anchor in channels within the limits of the waterways covered by the regulations in this section may be granted by the Captain of the Port to wrecking plants or other vessels legally engaged in recovering sunken property or in laying pipe or cable lines legally established or in repairing same when the application for such anchorage is approved by the District Engineer, Corps of Engineers, and to plant engaged in dredging operations when authorized by the District Engineer. The provisions of this subparagraph will not apply to plant engaged under the supervision of the District Engineer upon works for the improvement of rivers and harbors, but the District Engineer will advise the Captain of the Port in advance of the proposed work for such improvement in all cases where the plant is to be employed under his supervision.

(11) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating the law.

(12) Except as provided in subparagraph (15) of this paragraph, vessels carrying explosives or other dangerous articles, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, shall be anchored within Anchorages Nos. 13, 14, 15, 16, 22, and 23 only. Any vessel carrying explosives and desiring to proceed to the anchorages provided therefor shall first obtain a written permit from the Captain of the Port; and no vessel shall occupy a berth in such anchorages except by authority of such permit, which may be revoked at any time. All other vessels, especially tugs and stevedore boats, engaged or used in connection with loading explosives on vessels shall carry written permits from the Captain of the Port and shall show these permits whenever required by the Captain of the Port or his properly authorized agents. (13) Whenever any watercraft not

(13) Whenever any watercraft not fitted with mechanical power anchors in Explosives Anchorages Nos. 13, 14, 15, and 16 while carrying explosives, the captain of the Port may require the attendance of a tug upon such watercraft when, in his judgment, such action is

deemed necessary.

(14) When vessels are conducting loading operations from barges at any of the established explosives anchorages, as indicated by the display of a red flag (International Code Flag "B") at the masthead, passing vessels of over 100 tons displacement will reduce speed to six knots over the ground.

(15) The District Engineer, Corps of Engineers, is empowered to authorize, in writing, the anchoring of a single barge carrying explosives in or near the vicinity of work being done directly under his supervision, or under a Department of the Army permit, but only in quantities considered by him as safe and neces-The District Engineer shall prescribe the conditions under which this explosive shall be stored and handled and in each case shall furnish the Captain of the Port with a copy of the written permit to anchor explosives on the work and a copy of the rules and regulations for storing and handling,

(16) Vessels other than those under Federal supervision shall not go alongside or in any manner moor to any Government-owned vessel, mooring buoy, or pontoon boom, their anchor cables, or any of their appendages. Vessels other than those under Federal supervision shall not obstruct or interfere in any manner with the mooring, unmooring, or servicing of vessels owned by the United States.

(17) Vessels anchoring in the San Joaquin River Deep Water Channel or the Stockton Turning Basin because of

distress or heavy fog, shall be placed as near the edge of the channels or turning basin as possible, and in such position as not to interfere with the free navigation thereof, nor obstruct the approach to any pler, wharf, slip, or boat harbor. They shall move from such position as soon as the emergency ceases or when ordered by the Captain of the Port, San Francisco, or by his duly authorized representative. No vessel shall be permanently moored in areas adjacent to the San Joaquin River Deep Water Channel or in any stream tributary to said deep water channel within one-half mile of its junction with the channel, except on permission in writing from the Captain of the Port or his duly authorized representative.

(g) Mayberry Slough, Sherman Island; restricted anchorage for vessels of the United States Government—(1) The anchorage ground. All of the upper portion of Mayberry Slough, from a point 1.65 nautical miles above its mouth.

(2) The regulations. No vessel or other craft, except those belonging to the United States Government, property owners of Sherman Island, or to public utilities serving the area, shall navigate or anchor in the area without special permission from the Commanding General, San Francisco Port of Embarkation, Fort Mason, California, or his authorized representative.

§ 202.93 Columbia River, Oreg. and Wash.—(a) The anchorage grounds—(1) Lower Tongue Point Anchorage. A rectangular area bounded as follows: Beginning at a point bearing 253° 30' 675 yards, from Tongue Point Light; thence to a point bearing 247° 30' 2,015 yards, from Tongue Point Light; thence to a point bearing 261° 2,125 yards, from Tongue Point Light; thence to a point bearing 284° 950 yards from Tongue Point Light; and thence to the point of beginning.

(2) Upper Tongue Point Anchorage. Northwesterly of a line running from a point bearing 42° 1,200 yards, from Tongue Point Light, to a point bearing 53° 30° 675 yards, from Tongue Point Light; northeasterly of the northeast houndary of Lower Tongue Point Anchorage; southeasterly of a line ranging from a point bearing 234° 950 yards, from Tongue Point Light, toward a point bearing 24° 1,425 yards, from Tongue Point Light; southerly of a line 50 yards south of and parallel to the south side of the main ship channel; and southwesterly of a line ranging from a point bearing 42° 1,200 yards, from Tongue Point Light, toward a point bearing 24° 1,425 yards, from Tongue Point Light.

(3) North berthing area in Cathlamet

(3) North berthing area in Cathlamet Bay. Beginning at latitude 46°12'57.7" longitude 123°45' bearing approximately 57° 20' 1,950 feet, from the northeast corner of Tongue Point; thence 90° 12,650 feet; thence 180° 2,830 feet; thence 277°30' approximately 12,820 feet, to longitude 123°45' thence due north, approximately 1,100 feet, to the point of beginning.

(4) South berthing area in Cathlamet Bay. Beginning at latitude 46°12'42" longitude 123°45' bearing approximately 109° 10' 1,700 feet, from the northeast corner of Tongue Point; thence 97° 46'.

9,980 feet; thence 107° 38' 1,720 feet; thence 123° 12' 3,210 feet; thence 265° 22' 8,000 feet; thence 311° 24' 1,700 feet; thence 298° 34' approximately 5,750 feet, to longitude 123°45' thence due north, approximately 430 feet, to the point of beginning.

Note: All bearings in this section referred to true meridian.

- (b) The regulations. (1) No vessel shall anchor in anchorages described in paragraph (a) (1) and (2) of this section without prior permission from the Captain of the Port, or his authorized representative. No vessel shall occupy either anchorage for a period longer than 30 days unless a permit is obtained from the Captain of the Port for that purpose. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy an anchorage except in an emergency and then only for such period as may be permitted by the Captain of the Port. A berth in an anchorage, if available, shall be assigned to any vessel by the Captain of the Port upon application and he may grant revocable permits for the continuous use of the same berth.
- (2) The areas described in paragraph (a) (3) and (4) of this section are designated as berthing areas and shall be used exclusively as sites for inactive vesvels and those awaiting disposal.
- § 202.100 Puget Sound area, Wash.—
 (a) The anchorage grounds—(1) Freshwater Bay emergency explosives anchorage, Strait of Juan De Fuca. All of Freshwater Bay emergency explosives anchorward of a line beginning at Observatory Point, latitude 48°09'03" longitude 123°38'12" thence due north approximately 1,150 yards to latitude 48°09'36" longitude 123°38'12" thence 90° approximately 6,450 yards, to latitude 48°09'36" longitude 123°33'27" thence 180° to the shoreline.
- (i) This area does not constitute an explosives anchorage for loading or discharging explosives, but is established exclusively for use by explosives laden vessels enroute to the ammunition dumping area which encounter adverse weather and sea conditions and are forced to await more favorable conditions before proceeding to sea.

Nore: All bearings in this section referred to true meridian.

- (2) Kilisut Harbor berthing area. All of the waters lying between Indian Island and Marrowstone Island.
- (i) This area shall be used exclusively as a site for mactive vessels and those awaiting disposal.
- (3) Holmes Harbor general anchorage. All of Holmes Harbor lying southerly of a line ranging 310° through Hackney Island, between the shores of Whidbey Island.
- (4) Port Gardner general anchorage, Possession Sound. Beginning at a point bearing 211° 560 yards, from Everett Jetty Light; thence 180° 675 yards; thence 216° 250 yards; thence 254° 800 yards; thence 302° 1,700 yards; thence 49° 1,280 yards; thence approximately

115° 1,525 yards, to the point of beginning.

(5) Kingston explosives anchorage, Puget Sound. The waters within the segment of a circle struck from a point bearing 144° 2,300 yards from Apple Cove Point Light, with a radius of 1,500 yards and extending from 217° to 324°

(6), Thorndike Bay emergency explosives anchorage, Hood Canal. Beginning at a point bearing 267° 3,500 yards, from Hood Canal 5 Light; thence 180° 1,000 yards, to a point approximately 251°, 3,725 yards, from Hood Canal 5 Light; thence 270° 1,350 yards, to a point approximately 256° 5,000 yards, from Hood Canal 5 Light; thence due north 1,000 yards, to a point approximately 268° 4,900 yards, from Hood Canal 5 Light; thence approximately 90° 1,350 yards, to the point of beginning.

(7) Smith Cove general anchorage (west) Elliott Bay. Shoreward of a line beginning at Fourmile Rock Light; thence to a point bearing 207° 1,100 yards, from Fourmile Rock Light; thence southeasterly to point bearing 6°30′ 2,075 yards, from Duwamish Head Light; thence due north to the shore of Smith Cove.

(8) Smith Cove general anchorage (east) Elliott Bay. Beginning at the intersection of the Federal pierhead line and a line drawn along the north side of Denny Way thence westerly on said line 2,000 feet; thence northwesterly along a line paralleling the Federal pierhead line to its intersection with a straight line drawn along the east side of Pier 88; thence due north to the intersection with the Federal pierhead line; thence alongsaid pierhead line to the point of beginning.

(9) Elliott Bay general anchorage (east) Shoreward of a line heginning at the northeast corner of Harbor Island; thence northerly and in a straight line to its intersection with a line drawn along the south side of King Street; thence west on said line to its intersection with the east line of West Waterway thence along said line to the northwest corner of Harbor Island.

(10) Elliott Bay general anchorage (west) Shoreward of a line beginning at a point of intersection of the Federal pierhead line with a straight line drawn along the west line of West Waterway thence north to a point intersecting a straight line drawn along the south side of Dearborn Street; thence in a westerly direction to the foot of West Fairmount Avenue.

(11) Orchard Point general anchorage, Puget Sound. Beginning at Orchard Point Light; thence 106° two miles; thence 180° to the northern shore of Blake Island; thence west and south along the shoreline to the southern end of Blake Island at approximate longitude 122°20′16′′ thence 250° to the dock at Harper thence westerly and northerly along the shoreline to the point of beginning.

(12) Blake Island explosives anchorage, Puget Sound. Shoreward of a line bearing 90° from the south tangent of Blake Island, 2,000 yards; thence due north, 1,400 yards; thence 270° 1,300 yards, to the east point of Blake Island.

(13) Budd Inlet berthing area. Beginning at latitude 47°06′00′′, longitude 122°54′40′′ thence 185°30′, 2,300 yards; thence 94° 830 yards; thence 18°, approximately 2,500 yards, to latitude 47°06′00′′ thence 270° approximately 1,380 yards, to the point of beginning.

(i) This area is designated as a berthing area and shall be used exclusively as a site for inactive vessels of the United States and those awaiting disposal.

(ii) No vessel not under Federal supervision shall go alongside or in any manner moor to any Government-owned vessel, mooring buoy, or pontoon boom or anchor cable or any of their appendages.

(iii) No vessel not under Federal supervision shall obstruct or interfere in any manner with the mooring or servicing of-Government-owned vessels.

(iv) The Reserve Fleet Division, United States Maritime Commission, will maintain patrol craft to warn away or advise or report offending persons and vessels.

(v) Nothing in this paragraph shall be construed as prohibiting necessary navigation by vessels through this area.

(b) The regulations. (1) No vessel shall anchor in any general anchorage described in paragraph (a) of this section without prior permission from the Captain of the Port, or his authorized representative. No vessel shall occupy any general anchorage for a period longer than 30 days unless a permit is obtained from the Captain of the Port for that purpose. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy a general anchorage except in an emergency and then only for such period as may be permitted by the Captain of the Port. A berth in a general anchorage, if available, may be assigned to any vessel by the Captain of the Port upon application and he may grant revocable permits for the continuous use of the same berth.

(2) Explosives anchorages described in paragraph (a) of this section are reserved for vessels carrying explosives as cargo. Such areas shall not be used by vessels which do not carry explosives as cargo except in cases of great emergency or by special permit from the Captain of the Port. All vessels carrying explosives as cargo shall be within explosive anchorages when anchored, except as provided in the following subparagraph.

(3) In the interest of port security and the commerce of the United States, the Captain of the Port may, subject to such conditions as he finds will promote those objectives, designate loading terminals outside the explosives anchorages where vessels may load or discharge explosives directly between vessels and shore or between vessels.

(4) A vessel carrying bulk inflammable liquid cargo such as petroleum products shall, when anchored, be at least 1,000 yards away from a vessel carrying explosives. The Captain of the Port may issue a permit to a vessel carrying inflammable or combustible liquids in bulk or other dangerous cargo to anchor in an explosives anchorage whenever such explosives

sives anchorage is not in use by a vessel carrying explosives as cargo.

(5) No vessel carrying explosives as cargo or on which explosives as cargo are to be loaded may proceed to an explosives anchorage without first notifying the Captain of the Port. Upon such notification, the Captain of the Port, if he finds it to be in the interests of port security and the commerce of the United States, shall issue a revocable permit, without which no vessel may anchor in the explosives anchorage, and shall assign to the vessel a berth in the explosives anchorage, if one is available.

- (6) All vessels, including tugs and stevedore boats, used in connection with loading or unloading explosives on vessels shall apply to the Captain of the Port for a permit to engage in such loading or unloading, which permits shall be granted by the Captain of the Port if he finds that such action will not be inimical to the interests of port security and the commerce of the United States. No such vessel shall enter any explosives anchorage or engage in loading or unloading explosives without first having obtained a permit.
- 3. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S. C.) 1) and chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U.S. C. 3) §§ 204.95 to 204.105, inclusive, are hereby revoked and superseded by §§ 204.95 to 204.115, inclusive, as follows:

§ 204.95 Pacific Ocean, between La Jolla and Solana Beach, Câlif., firing range, Coast Artillery Replacement Training Center Camp Callen, San Diego—(a) The danger zone. An area in the Pacific Ocean approximately 10 nautical miles square, bounded on the north by latitude 33°00' (through Solana Beach) on the east by the shore, on the south by latitude 32°52' (through Scripp's Pier) and on the west by longitude 117°26'

- (b) The regulations. (1) Any vessel propelled by mechanical power at a speed greater than five miles per hour may proceed through the danger zone to and from points beyond (but not from one point to another in the danger zone) without restriction, except when notified to the contrary.
- (2) Fishermen desiring to fish in the danger zone will be required to have written permits which will be issued by the enforcing agency upon application thereto.

(3) On days and nights when firing is in progress, no vessel shall enter or remain in the danger zone except vessels of the United States or vessels proceeding through the danger zone as provided in subparagraph (1) of this paragraph.

(4) Except under unusual circumstances, announcement of which will be made to the surrounding communities, the danger zone will be open throughout the year to the public for fishing and traffic without restriction from 12:00 noon, Saturday, to 8:00 a.m., Monday, and on national holidays from 5:00 p. m. of the day preceding to 8:00 a. m. of . the day following the holiday. The area will also be open to the public for fishing and traffic without restriction on other days when firing is not to be conducted.

(5) Notice of target practice within the firing range will be given by the enforcing agency by one or more of the following methods:

(i) On days when firing is to be held in all or part of the danger zone, large red flags will be displayed from elevated masts in the immediate vicinity of each firing point (near S. W. Range Tower) U. S. Navy) from which fire is to be conducted. These flags will be hoisted not later than 8:00 a.m. of the day on which firing is to be held and will be lowered when firing ceases for the day.

(ii) Notice published in San Diego

daily newspapers.

(iii) Telephone advice to such fishermen's organizations as may request, in writing, that such advice be given.

(iv) Telephone advice to such civil aircraft communication stations and naval air bases as may request, in writing, that such advice be given.

(v) Notice to individual craft by a visit of a United States vessel.

(6) During periods when antiaircraft firing is in progress, safety observers will be maintained for the protection of civil and naval aircraft.

(7) The regulations in this section shall be enforced by the Commanding General, Coast Artillery Replacement Training Center, Camp Callan, Callfornia.

§ 204.98 Anaheim Bay Harbor, Calif., Naval Ammunition and Net Depot, Seal Beach—(a) The danger zone. The waters of Anaheim Bay Harbor between the east and west jettles at the United States Naval Ammunition and Net Depot, Seal Beach, California, and the contiguous tidal channel and basin as far east as the Pacific Electric Railway bridge.

(b) The regulations, (1) Transit shall be prohibited to all but regularly documented vessels and power boats having a certificate of award of number. Sailing vessels shall use auxiliary power in Anaheim Bay proper. Rowboats, canoes, kayaks, etc., are specifically prohibited.

(2) All boats shall proceed as expeditiously as possible by the shortest practicable route through the danger zone. Fishing, landing, and stopping except in actual emergency are specifically prohibited.

(3) The name and address of the owner, and the number, description, color, and size of the craft shall be registered with the enforcing agency.

- (4) Passage shall be made only upon the express permission of the enforcing agency (through the Depot Duty Officer) in each instance, date and time of expected return to be given. This permission shall be obtained by telephone or otherwise not less than one hour before seaward transit in order that security personnel may be properly notified and to avoid interference with scheduled operations.
- (5) To permit identification all passages, except such as are necessitated by stress of weather, shall be made between the beginning of morning twilight and the end of evening twilight. If after evening twilight the boat shall stop at

the dock and clear with the Duty Officer (through sentry).

(6) Both entrances to the bay will be suitably posted.

(7) All craft of whatever category shall have the right at any time to seek shelter in these waters because of stress of weather.

(8) This section shall be enforced by the Commanding Officer of the Naval Ammunition and Net Depot, Seal Beach, California, and such agencies as he may designate.

(9) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel or plant from the penalties of the law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights or signals, or for otherwise violating law.

§ 204.101 Pacific Ocean at San Clemente Island, Calif., Navy shore bombardment area in vicinity of Pyramid Cove-(a) The danger zone. Shoreward of a line beginning at White Washed Rock on the beach bearing 199° true, 540 yards, from Pyramid Head Light; thence 160°30' true, 1.17 nautical miles; thence 243°30' true, 2.35 nautical miles; and thence 307° true to the beach.

(b) The regulations. (1) This area is used for shore bombardment by the United States Navy and all vessels shall promptly vacate the area when ordered to do so by the Navy or Coast Guard. Vessels shall not enter the area during periods scheduled for firing as published in local Notice to Mariners.

(2) Except in an emergency, no vessel shall anchor in the area without first obtaining permission from the Commandant, Eleventh Naval District, or from the Senior Officer present in the anchorage who may grant permission to anchor not exceeding the period he himself is authorized to remain there. The Senior Officer present shall advise the Commandant, Eleventh Naval District, when and to whom he assigns a berth.

§ 204.105 Monterey Bay, Calif.—(a) Firing range, Fort Ord, Calif.—(1) The danger zone. (i) A sector in Monterey Bay, the southerly limit of which is a line bearing 265°20' true, 14,000 yards, from the shore line at Indian Harbor Beach. 5.1 miles south of the mouth of the Salinas River, and the northeasterly limit of which is a line bearing 327°20' true, 14,000 yards, from the shore line opposite Marina, 3.75 miles south of the mouth of the Salinas River.

(ii) The danger zone is divided into a short-range area, extending from the shore line seaward for a distance of 7,500 yards, and a long-range area, embracing the entire danger zone.

(2) The regulations. (i) Except when notified to the contrary as prescribed in subdivision (iv) of this subparagraph, any vessel may proceed through the danger zone without restriction.

(ii) Fishermen desiring to fish in the danger zone will be required to have c written permits which will be issued by the enforcing agency upon application

thereto.

(iii) When firing over the water is in progress, no vessel, except vessels of the

United States or vessels authorized by the enforcing agency, will enter or remain

in the danger zone.

(iv) In all cases where firing will extend over the water, notice of such firing will be given by the enforcing agency by one or more of the following means. The notice will state whether the firing will be over the short-range or long-range areã.

(a) Notice published in the Monterey

daily newspapers.

(b) Display of red flags at Indian Beach Harbor for firing over the shortrange area and red flags near Point Pinos Lighthouse and at Indian Beach Harbor for firing over the long-range area.

(c) Radio broadcast.

(d) Telephone advice to such fishermen's organizations as may request, in writing, that such advice be given.

(e) Notice to individual craft by a visit

of a United States vessel.

(v) The regulations in this paragraph will be enforced by the Commanding

General, Fort Ord, California.

(b) Navy mining operations area—(1) The danger zone. Shoreward of a line beginning at the stack at about latitude 36°58'06" longitude 121°54'06" thence 230° true, 6.0 miles; thence 140° true, 7.5 miles; thence 50° true to the shore.

- (2) The regulations. The danger zone will be used for training in various phases of mine warfare operations. During the period from August 1 to February 15, inclusive, each year, no operations will be carried on which will involve placing any obstructions in the water nor will any operations be carried on at night. During the period from February 16 to July 31, inclusive, each year, operations may be carried on which will involve laying exercise mines and other moored or bottom obstructions. In each case when moored or bottom obstructions are laid a notice to mariners will be issued giving notice of their approximate location within the danger zone, and vessels shall keep clear.
- § 204.110 Pacific Ocean adjacent to San Francisco, Calif., firing ranges, U.S. Military Reservations, Harbor Defenses of San Francisco—(a) The danger zone. An area in the Pacific Ocean, bounded on the north by a line bearing 90° true from Point Reyes, on the east by the shore, by the peninsula across Bolinas Bay, and by a line across the Golden Gate between Point Bonita and Point Lobos, on the south by a line bearing 270° true from Pillar Point, and on the west by a line bearing due north and passing through Farallon Light (on Southeast The danger zone is divided Farallon) into four firing ranges, as follows:

(1) North long range. That part of the danger zone north of the center line of the main ship channel across the San

Francisco bar prolonged.

(2) North short range. That part of the north long range east of a line bearing 180° true from Double Point.

(3) South long range. That part of the danger zone south of the center line of the main ship channel prolonged.

(4) South short range. That part of the south long range east of a line bearing 180° true from Double Point and north of a line bearing 270° true from Point San Pedro.

- (b) The regulations. (1) Any vessel propelled by mechanical power at a speed greater than five knots may proceed through the danger zone to and from points beyond (but not from one point to another in the danger zone) without restriction, except when notified to the
- (2) Fishermen desiring to fish in the danger zone will be required to have written permits which will be issued by the enforcing agency. Applications for permits may be made direct to the Commanding Officer, Fort Winfield Scott, San Francisco, or may be made to the office of the California State Fish and Game Commission, Ferry Building, San Fran-
 - (3) On days and nights when firing is in progress, no vessel shall enter or remain in the danger zone, except vessels of the United States, or vessels proceeding across the zone as provided in subparagraph (1) of this paragraph.

(4) Notice of target practice within any of the firing ranges will be given by the enforcing agency by one or more of

the following methods:.

(i) Notice published in a San Francisco daily newspaper.

- (ii) A display of a red flag at Point Cavallo from daylight of the day of firing until the firing for that day is over.
- (iii) Radio broadcast.
- (iv) Telephone advice to such fishermen's organizations as may request, in writing, that such advice be given.

(v) Notice to individual craft-by a

visit of a United States vessel:

- (5) The regulations in this section shall be enforced by the Commanding Officer, Harbor Defenses of San Francisco, and such agencies as he may desig-
- § 204.112 San Pablo Bay, Calif.; target practice area, Mare Island Navy Yard, Mare Island—(a) The danger zone. A sector in San Pablo Bay adjacent to the westerly shore of Mare Island with a radius of 3,900 yards, centered at a point bearing 316° true, 3,605 yards, from Mare Island Dike No. 14 Light, with limiting true bearings from that center of 266° 30' and 222°
- (b) The regulations. The commanding Officer, Mare Island Navy Yard, will conduct target practice in the area at intervals of which the public will be duly notified. At such times vessels shall stay
- § 204.115 Tomales Bay, Calif., naval aircraft bombing target area—(a) The danger zone. A circular area having a radius of 750 yards, the center of which bears 129° true, 2,000 yards, from the southwesterly extremity of Tom Point.

(b) The regulations. (1) No vessel shall enter or remain in the danger zone except vessels of the United States.

- (2) This section shall be enforced by the Commandant, Twelfth Naval District, Naval Operating Base, San Francisco, and such agencies as he may designate.
- 4. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) §§ 207.625, 207.650, 207.740, 207.760, and 207.763, are hereby revoked, §§ 207.612, 207.617, are hereby prescribed, and

§§ 207.620, 207.640, 207.700, and 207.750 are hereby amended, as follows:

§ 207.612 San Diego Harbor, Calif.; seaplane restricted area—(a) The area. (1) That portion of the central part of San Diego Bay, opposite National City, inclosed by lines connecting the following points, which are rectangular coordinates and are referred to the U.S. Coast and Geodetic Survey Station "Old Town" as their origin:

```
"a"—S. 25,015.85, E. 12,419.60.
"b"—S. 27,720.44, E. 16,258.02.
"c"—S. 30,489.60, E. 18,072.88.
"d"-S. 31,932.83, E. 18,239.47.
"e"—S. 34,403.93, E. 19,132.03.
"f"—S. 39,271.04, E. 19,556.43.
"g"—S. 41,814.54, E. 14,009.32.
"h"—S. 41,454.18, E. 13,835.53.
"1"-S. 40,893.33, E. 14,862.42.
"j"—S. 35,648.50, E. 12,581.33.
"N"—S. 33,6428.63, E. 12,601.33, 

"k"—S. 36,228.63, E. 11,316.10, 

"l"—S. 33,132.35, E. 9,649.61, 

"m"—S. 32,481.78, E. 9,250.19, 

"n"—S. 32,378.63, E. 9,274.87,
"0"-S. 31,654.25, E. 8,830.15.
"p"—S. 31,629.57, E. 8,726.99.
"q"—S. 30,966.36, E. 8,319.81.
"r"—S. 30,897.59, E. 8,336.26.
"s"—S. 30,812.37, E. 8,283.94.
"t"-S. 30,795.92, E. 8,215.17.
"u"-S. 30,135.58, E. 7,809.77.
```

(2) The area will be marked by the United States Navy by marine contact seadrome lights flashing amber.

(b) The regulations. (1) The area is hereby set aside for the use of seaplanes and their attendant plant and, except as provided in subparagraph (2) of this paragraph, navigation within the area is restricted to seaplanes, their attendant plant, and vessels under the control of the United States.

(2) At such periods as the area may not be required for the use of seaplanes and their attendant plant, navigation by other craft may be permitted, provided permission is obtained in advance from the Commandant, Eleventh Naval District, San Diego, California.

§ 207.617 Los Angeles and Long Beach Harbors, Calif., naval restricted areas-(a) Seaplane restricted area—(1) The area. That portion of Anchorages C and D (described in § 202.84 (a) (2) and (3) of this chapter) 525 yards wide and approximately 5,250 yards long, extending 275 yards northwest and 250 yards southeast of a line bearing 68°30' true from the tank near the center of Reservation Point, Terminal Island, these boundaries passing through the north and south diamond-shaped markers on the stone seawall forming the east side of Reservation Point. The east end of the area is the southwest boundary of the 45-foot Long Beach Harbor entrance channel and the west end is the east boundary of the dredged channel to Fish Harbor.

(2) The regulations. (i) Seaplane landings may be made in this area on two hours' notice. All vessels, naval or commercial, anchoring in the area will be required to move within two hours' notice at any time, day or night.

(ii) The area will be patrolled by small craft on the approach of seaplanes intending to land. During the hours of darkness, whenever seaplanes are approaching the area for landing, the east 2,000 yards of the area will be marked by five accurately spaced flat-type rub-

ber buoys showing fixed green lights. Seaplanes will ordinarily approach the area from the east, landing in the eastto-west direction. Prevailing wind at the time of the intended landings will determine the direction of approach.

(b) Restricted area at Fleet Operating Base. (1) The area. All the waters between the Navy Mole and Terminal Island to the westward of longitude 118° 13'10''

(2) The regulations. This area is reserved exclusively for use by naval vessels. Permission to enter the area must be obtained from the enforcing agency.

(c) Enforcing agency. The regulations in this section shall be enforced by the Commanding Officer, U.S. Fleet Operating Base, Terminal Island, and such agencies as he may designate.

§ 207.620 Pacific Ocean in vicinity of Santa Catalina Island, Calif., seaplane restricted area near Avalon—(a) The area. Beginning at White Rock; thence 55° true, 5,000 feet; thence 325° true, 5.000 feet; thence 235° true, 5.400 feet; thence southeasterly along the shore line

to the point of beginning.
(b) The regulations. This area is reserved for the use of seaplane landings and take-offs. Floats or buoys are prohibited, except those authorized by the Department of the Army. Anchoring of vessels is prohibited. Vessels are not prohibited from passing through this area provided they proceed as expeditiously as practicable by the most direct route, and give seaplanes the right-ofway at all times.

§ 207.640 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River and connecting waters, Calif.—(a) San Francisco Bay in vicinity of Alcatraz Island; restricted area—(1) The area. All the waters within 200 yards of the shore line of Alcatraz Island.

(2) The regulations. The use and navigation of the waters within this area by any vessel or craft other than vessels controlled and operated by the United States is prohibited unless authorized by an officer of the Department of Justice empowered by the Attorney General of the United States to grant such authority.

(b) San Francisco Bay north of Alcatraz Island: submarine operating area-(1) The area. Bounded as follows: North latitude 37°50'38" boundary, east boundary, longitude 122°25'00" south boundary, latitude 37°50'00"; boundary, longitude 122°26'10"

(2) The regulations. Prior notification of the dates and times of all operations will be made by a local notice to mariners. A patrol boat will direct the movements of vessels passing in the vicinity of the operating area by means of signal light and loud hailer. Vessels traversing this area shall be alert and comply with the orders of the patrol boat. The regulations in this paragraph shall be enforced by the Commandant. Twelfth Naval District, and such agencies as he may designate.

(c) San Francisco Bay at South San Francisco; seaplane restricted area—(1) The area. Bounded by the westerly shore of South San Francisco Bay and the following lines: Beginning at a point on shore bearing 147° 30′ 2,930 yards, from Aviation Beacon "Aero" at San Francisco Airport; thence to points which are the following bearings and distances from Aviation Beacon "Aero" 104° 10,100 yards; 90° 7,290 yards; 53°, 6,120 yards; and 3°, 2,420 yards.

Note: All bearings in this section are referred to true meridian.

(2) The regulations. No surface watercraft shall be operated or anchored in this area except by specific permission of the Commanding Officer, Coast Guard Air Station, South San Francisco. Persons desiring to navigate vessels across the area shall give advice of their intention to do so and make request to the Commanding Officer not less than four hours in advance of the time they desire to take the vessel across the area. The regulations in this paragraph shall be enforced by the Commanding Officer.

(d) San Francisco Bay; scaplane restricted area, Naval Air Station, Alameda—(1) The seaplane restricted area. The waters of San Francisco Bay south of the Naval Air Station, Alameda, bounded on the north by the breakwater and turning basin at the Naval Air Station, and a line from Air Station Channel Lighted Buoy 6 to Air Station Channel Entrance Lighted Buoy 2; bounded on the west, south, and east by lines connecting Air Station Channel Entrance Lighted Buoy 2 and points which are the following bearings and distances from Hunter Point Light: 17°, 4,050 yards; 85° 5,300 yards; 86° 7,075 yards; 73° 9,160 yards; and 70°30′, 9,300 yards; and bounded on the northeast by a line running from the last-described point 299° to the breakwater.

(2) The take-off zone. The area in San Francisco Bay southeast of the southeast boundary of Anchorage No. 8 (general) described in § 202.94 (a) (8) of this chapter; north of the north boundary of Anchorage No. 9 (general) described in § 202.94 (a) (9), northwest of the seaplane restricted area described in subparagraph (1) of this paragraph; and southwest of the southwest boundary of Anchorage No. 9-A (general) described in § 202.94 (a) (10)

(3) The regulations. (i) Except as provided in subdivision (ii) of this subparagraph, no surface watercraft shall be operated or anchored in the scaplane restricted area except those attendant upon seaplane operations of the United States Navy or such other watercraft as have been given specific permission by the enforcing agency.

(ii) Surface watercraft may pass through the northerly part of the seaplane restricted area in a channel-way 800 feet wide adjacent to the southerly side of the breakwater protecting the turning basin at the Naval Air Station, turning at the western end of said breakwater, in a northwesterly direction, and connecting with the channel to the turning basin. Craft navigating this channelway shall pass directly through and shall obey such verbal instructions regarding passage as may be given from the control tower on said breakwater.

(iii) Vessels entering the take-off zone shall proceed through as necessary This area shall not be without delay. used for such purposes as drills, swinging ship, or other operations which would delay the vessel beyond the time required for normal transit. The enforcing agency may make exceptions to the provisions of this subparagraph if seaplane operations permit.

(iv) The regulations in this paragraph shall be enforced by the Commander, Naval Air Station, Alameda, and such

agencies as he may designate.

₿

(e) San Francisco Bay and Oakland Inner Harbor; restricted areas in vicinity of Naval Air Station, Alameda—(1) The areas. (i) The waters of San Francisco Bay within 100 yards of the Naval Air Station, Alameda.

(ii) The waters of the entrance channel to Oakland Inner Harbor (San Antonio Estuary) between the westerly end of the rock wall on the south side of the channel and the easterly boundary of the Naval Air Station.

(2) The regulations. (i) No vessel or other craft, except vessels of the United States or vessels duly authorized by the Commandant, United States Naval Air Station, Alameda, shall navigate, anchor, or moor in the area described in subparagraph (1) (i) of this paragraph.

(ii) No vessel without special authority from the Captain of the Port shall lie, anchor, or moor in the area described in subparagraph (1) (ii) of this paragraph. Vessels may proceed through the entrance channel in process of ordinary navigation or may moor alongside wharves on the Oakland side of the channel.

(f) Oal:land Harbor in vicinity of Naval Supply Genter, Oakland; navigation. All vessels over 1,000 tons when bound for the Naval Supply Center, Oakland, must heave to well outside the channel, and wait to be boarded by a Naval Supply Center pilot (in order to safeguard out-bound vessels. The Naval Supply Center pilot will advise and assist the regular master. Whistle signal for the Naval Supply Center pilot is one long blast and one short blast followed by a pause and three short blasts.

(g) San Francisco Bay in vicinity of Naval Fuel Annex, Molate Point; restricted area-(1) The area. Bounded by the easterly shore of upper San Francisco Bay and the following lines: Beginning at a point on shore bearing 17° 800 yards, from "Tree" at Molate Point; thence 270° 870 yards; thence 180° 1,100 yards; thence along a line bearing 123°

to the shore.

(2) The regulations. Vessels not operating under supervision of the local military or naval authority or public vessels of the United States shall not enter this area except by specific permission of the Captain of the Port, San Francisco.

(h) Pinole Shoal Channel, San Pablo Bay; use, administration, and navigation.
(1) The use of Pinole Shoal Channel is hereby reserved for navigation of vessels of greater draft than 20 feet or by towboats with tows drawing more than 20 feet. Vessels operated by either sail or power and tows drawing less than 20 feet are not permitted to use this channel or to cross it between Buoy No. 3, marking the western end of the channel, and Buoy No. 11, marking its eastern end.

- (2) Vessels permitted to use Pinole Shoal Channel under subparagraph (1) of this paragraph shall proceed through the channel at a reasonable speed so as not to endanger other vessels and not to interfere with any work which may become necessary in maintaining, surveying, or buoying the channel, and they shall not anchor in the channel, except in cases of emergency such as fog or accident which would render progress unsafe or impossible.
- (3) This paragraph is not to be construed as prohibiting any necessary use of the channel by any Government boats while on Government duty, or in emergencies by pilot boats, whether steam or sail, or by police boats, or by the vessels of passenger steamship lines operated on regular schedules.
- (1) San Pablo Bay, Carquinez Strait, and Mare Island Strait in vicinity of U. S. Naval Shipyard, Mare Island; restricted area—(1) The area. The waters of San Pablo Bay, Carquinez Strait, and Mare Island Strait, within 100 yards of the shore line of that part of the Navy Yard, Mare Island, south of the causeway between the City of Vallejo and Mare Island and extending continuously therefrom southeasterly, southwesterly, and northwesterly around said Navy Yard to its northwesterly limit on the waters of San Pablo Bay, and the waters within 50 yards of any part of the berthing piers at said Navy Yard.
- (2) The regulations. No vessel or other craft, except vessels of the United States or vessels duly authorized by the Commandant, U. S. Navy Yard, Mare Island, shall navigate, anchor, or moor in this area.
- (j) Carquinez Strait in vicinity of Benicia Arsenal, Benicia; restricted area—(1) The area. Within 100 yards of the shore line or of the wharf at the Benicia Arsenal.
- (2) The regulations. No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Captain of the Port, San Francisco, shall enter this area.
- (k) Suisun Bay at Port Chicago; naval magazine restricted area—(1) The area. Beginning at a point on the shore and on the easterly side of the mouth of a small slough bearing 98° 30′ 2,133 yards, from Point Edith Light; thence 340° 30′ 400 yards, to the high water shore line of the most southerly of Seal Islands; thence 69° 30′ 2,050 yards; thence 83° 30′ 866 yards; thence 102° 30′ 2,000 yards; thence 98° 1,365 yards; thence 180° 400 yards, to the high water shore line; thence following the high water shore line in a general southwesterly direction to the point of beginning.
- (2) The regulations. Vessels not operating under the supervision of the local military or naval authority shall not enter this area except by specific permission of the Captain of the Port, San Francisco.
- (1) San Joaquin River Deep Water Channel between Susun Bay and the easterly end of the Channel at Stockton; use, administration, and navigation—(1) Maximum speed. The maximum speed for all ocean-going craft shall not exceed

10 miles per hour above the lower end of New York Slough, seven miles per hour above Criminal Point, or five miles per hour while passing any wharf, dock, or moored craft. As used in this subparagraph, the speed of a vessel when navigating with the current shall be its rate of movement in excess of the velocity of the current.

- (2) Passing. All craft passing other boats, barges, scows, etc., in motion, moored or anchored, shall slow down and take every necessary precaution to avoid damage.
- (3) Rights of way. (i) United States dredges, tugs, launches, derrick boats, and similar plant of contractors executing river and harbor improvement work for the United States, and displaying the signals prescribed by the regulations contained in Part 201 of this chapter shall have right of way and other craft shall exercise special caution to avoid interference with the work on which the plant is engaged. Dredges, whether Federal or contractors' plant, working the channel must, however, take special care to give ocean-going vessels sufficient room for passing, and must lift both spuds and the ladder, and pull clear, if an adequate width of clear channelway cannot otherwise be provided. Ocean-going vessels may show at the masthead a black ball of not more than 20-inch diameter as a signal to the dredge, and may also blow five long blasts of the whistle when within a reasonable hearing distance of the dredge, such signal to be followed at the proper time by the passing signal described in the local pilot rules. The dredge shall promptly acknowledge both signals in the usual manner.
- (ii) Light-draft vessels when meeting or being overtaken by ocean-going vessels, shall give right-of-way to such vessels by making use of the shallower portions of the waterway.
- (iii) Rafts and tows must promptly give the channel side demanded upon proper signal by a vessel, and must be handled in such a manner as not to obstruct or interfere with the free use of the waterway by other craft.
- (4) Collisions. (i) Ocean-going vessels in collision in the channel or turning basin must, if still afloat and in a condition making anchorage necessary, be immediately removed to an approved anchorage ground, or if in such condition that beaching is necessary, they shall be temporarily beached on the northwest side of Mandeville Island or in the Old River.
- (ii) Light-draft vessels suffering collision shall be disposed of as directed by the District Engineer, Corps of Engineers, or his authorized representative.
- (5) Wrecks. In no case following accidents of fire or collision will a vessel be allowed to remain either anchored or grounded in the channel, or beached at any place where it endangers other vessels, while settlement is pending with the underwriters.
- (6) Other laws and regulations. In all other respects, the existing Federal laws and rules and regulations affecting navigable waters of the United States will govern in this channel.
- (7) Enforcement. Except as otherwise provided in this paragraph, the Captain

of the Port shall have immediate supervision over the enforcement of the regulations in this paragraph in Suisun Bay, New York Slough, and the Sap Joaquin River Deep Water Channel.

§ 207.700 Columbia River at Bonneville, Oreg., use, administration, and navigation. * * *

- (x) Restricted areas. All waters of the Columbia River and Bradford Slough within 1,000 feet above and 2,000 feet below the spillway dam and 400 feet above and 600 feet below the power house are hereby designated as restricted areas. No vessel or other floating craft shall enter or remain in any of the restricted areas at any time without first obtaining permission from the District Engineer, Corps of Engineers, or his duly authorized representative. The restricted areas will be designated by signs posted in conspicuous and appropriate places.
- § 207.750 Puget Sound Area, Wash.—
 (a) Strait of Juan de Fuca, eastern end; naval restricted area—(1) The area. Off westerly shore of Whittey Island, shoreward of a line extending from West Point 270°, approximately 1.9 miles, to Lawson Reef Bell Buoy; thence approximately 222° 6.3 miles, to Minor Island Light; thence 162°, 6.3 miles, to Point Partridge on the westerly shore of Whidbey Island at approximately latitude 48°13'30"

Note: All bearings in this section are referred to true meridian.

- (2) The regulations. No vessels other than a Naval vessel shall enter this area or navigate therein without permission of the Commandant, Thirteenth Naval District, or his authorized representative.
- (b) Oak Harbor and Crescent Harbor, Whidbey Island, naval restricted area—
 (1) The area. All waters of Oak Harbor, Crescent Harbor, and adjacent waters lying north of a line drawn from Blowers Bluff 79° to a point one-half mile south of Point Poinell; thence 45° to the shore of Whidbey Island.
- (2) The regulations. No vessel shall enter this area or navigate therein without permission of the Commandant, Thirteenth Naval District, or his authorized representative.
- (c) Admiralty Inlet, entrance; naval restricted area—(1) The area. Beginning at Partridge Point Light; thence southeasterly along the west shore of Whidbey Island to Lagoon Point at latitude 48°04′30″ thence 270° to the east shore of Marrowstone Island; thence northerly along the shore to Marrowstone Point Light; thence 305° to the east shore of Quimper Peninsula, thence northerly along the shore to Point Wilson Light; thence westerly along the north shore of Quimper Peninsula to Middle Point; thence 26° to the point of beginning.
- (2) The regulations. (i) Anchorage within this area is prohibited. Fishing by means of trawling or bottom dragging is prohibited.
- (ii) The regulations in this paragraph shall be enforced by the Commandant of the Thirteenth Naval District or his duly authorized representative.
- (d) Waterway connecting Port Townsend and Oak Bay; use, administration,

and namgation—(1) Works to which regulations apply. The "canal grounds" when used in this paragraph shall mean that area between the south end of the jetties in Oak Bay and the white light on the northerly dolphin located in Port Townsend. The "canal" is the water lying between these two points and the banks containing the same.

(2) Speed. The speed limit within the canal grounds shall not exceed five miles

per hour.

- (3) Signals. All boats desiring to use the canal shall give one long and one short whistle. Southbound boats shall sound this signal at the north range light in Port Townsend. Northbound boats shall sound this signal at least 500 feet south from the end of the jetties in Oak Bay. If no other boat answers the signal the first boat shall have the right of way through the canal. Any approaching boat that is in the canal shall answer by giving the same signal and the first boat shall not enter the canal until the second boat shall have passed through the canal. In the case of boats going in the same direction the boat which is in the canal shall not answer the signal of the boat desiring to enter.
- (4) Passing. Steamers shall not under any circumstances attempt to pass each other in the canal, either when going in the same or opposite directions.
- (5) Anchoring. No steamers or boats shall anchor or tie up within the canal grounds unless they are well over on the tide flats to the west of the dredged channel, and off the right of way belonging to the United States.
- (6) Tows. No tow shall enter or pass through the canal with a towline more than 200 feet in length.
- (7) Statistics. At the end of each month masters or clerks of vessels or boats that have used the canal during the month shall report to the District Engineer, Corps of Engineers, Seattle, upon prescribed forms, a statement of passengers, freight, and registered tonnage, and such other statistical information as may be required by the blank forms which are issued to them for that purpose.
- (8) Trading, landing, etc. No business, loading, or landing of freight or baggage will be allowed on or over the canal piers or bulkheads.

(9) Refuse. No person shall throw material of any kind into the canal.

(10) Delaying traffic. No person shall cause or permit any vessel or boat of which he is in charge, or on which he is employed, to obstruct the canal in any way or delay in passing through it.

(11) Obstructions. On the canal's being obstructed by a vessel, raft, or other craft, by sinking, grounding, or otherwise, the District Engineer, Seattle, shall be notified by telephone or telegraph as soon as possible by the person in charge of the obstructing vessel, raft, or craft.

(e) Hood Canal, Bangor naval restricted area—(1) The area. The waters within 500 yards on all sides of the Navy pier at Bangor, and all the remaining waters on the easterly side of Hood Canal within 200 feet of the highwater line between latitude 47°46'20" and latitude 4'1°43'28"

- '(2) The regulations. No vessel shall enter this area without permission from the Commandant, Thirteenth Naval District, or his authorized representative
- (f) Puget Sound, Point Jefferson; naval restricted arca—(1) The arca. Shoreward of a line beginning at a point bearing 186° 3,750 yards, from Apple Cove Point Light; thence 116°, 4,450 yards; thence 181° 2,750 yards; thence 203°30′ 2,700 yards; thence 270° 2,576 yards; thence 358°, 2,360 yards, to the shore on the south side of Point Jefferson.
- (2) The regulations. (i) Anchorage within this area is prohibited. Fishing by means of trawling or bottom dragging is prohibited.

(ii) The regulations in this paragraph shall be enforced by the Commandant of the Thirteenth Naval District or his au-

thorized representative. -

(g) Lake Washington Ship Canal; use, administration, and navigation—
(1) Definitions. The term "canal" as used in the regulations in this paragraph shall include the water area in the locks and the channel and adjacent waters from a point 5,500 feet northwest of the Great Northern Railway Company bridge to the east end of the channel opposite Webster Foint, Lake Washington. The term "canal grounds" shall include all grounds set aside for the use of the canal or occupied in its construction.

(2) Supervision. The canal and all its appurtenances shall be in charge of the District Engineer, Corps of Engineers. Seattle. The District Engineer will detail as many assistants as may be necessary for the efficient operation of the canal and the enforcement of the regulations in this paragraph. The movement of all vessels and other floating things in the canal and approaches thereto shall be under the direction of the District Engineer and his authorized assistants. All orders given under the regulations to any master or person in charge of any vessel, raft, or other watercraft by the District Engineer or his authorized assistants, either in person or through any canal operative, shall be acknowledged and obeyed. Failure to see, understand, or comply with cignals or instructions shall constitute a violation of the regulations. Any person refusing to comply with the regulations or any orders given in pursuance thereof may be denied the privileges of the canal or canal grounds.

(3) Speed. To avoid damage to other vessels and to property along the shores, all vessels shall proceed at reduced speed in the canal as follows:

- (i) From the white flash light on the extreme point of high land about 3,000 feet from the west canal entrance to the Great Northern Railway Company bridge, the speed shall not exceed six miles per hour.
- (ii) From the Great Northern Railway Company bridge to the east end of the east guide pier, the speed shall not exceed four miles per hour.
- (iii) From the Northern Pacific Railway Company bridge to a point 400 feet east of the Fremont Bridge, the speed shall not exceed six miles per hour.

- (iv) From the red buoy west of the University Bridge to the east end of the Montlake (Portage) Cut, the speed shall not exceed six miles per hour.
- (v) In all other portions of the canal, the speed shall not exceed 10 miles per hour

Note: Speed signs are located along the canal to indicate areas where reduced speeds are required.

- (4) Traffic signal lights. In addition to the lock signal lights described in subparagraph (5) (ii) of this paragraph, two red lights, one vertically above the other, and two green lights, one vertically above the other, are installed on the west side of the Ballard Bridge, on the east side of the Fremont Bridge, 1,000 feet west of the Montlake Bridge, and 1,000 feet east of the Montlake Bridge, for the guidance of vessels approaching the sections of the canal between Salmon Bay and Lake Union and between Lake Union and Lake Washington, respectively. Vessels of 300 gross tons and over and all vessels with tows, except as hereinafter provided, shall not pass the red lights. The green lights will indicate that vessels may proceed. Vessels of less than 300 gross tons without tows may disregard these signals, but they shall travel at very slow speed when passing other vessels. Vessels of 300 gross tons and over and vessels with tows, except logs, whose destination is between the Ballard Bridge and the Northern Pacific Railway Company bridge, may pass the red signals on the Ballard Bridge, provided such passage will not interfere with approaching traffic from Lake Union.
- (5) Approaching and passing through locks—(i) Signals for locks. Vessels with tows desiring to use the locks shall so indicate by two long and three short blasts of a whistle, horn, or megaphone. All other vessels desiring to use the locks shall so indicate by two long and two short blasts.

Note: The term "long blasts" means blasts of four ecconds' duration, and the term "chort blasts" means blasts of one second's duration. Signals for the opening of drawbridges are prescribed in § 293.790 of this chapter.

- (ii) Lock signal lights? Red and green signal lights are installed on the guide pler west of the Great Northern Railway Company bridge below the locks. green light will indicate to vessels bound for the large lock that the lock has been made ready. If the red light is burning, vessels bound for the large lock shall moor at the pier. Vessels bound for the small lock shall obtain instructions from the plerman on the end of the pier as to which lock to use and shall be guided into the small lock by traffic signals thereon. The masters of all vessels approaching the locks from Puget Sound shall be alert to receive and shall immediately comply with instructions by voice or signal from the employee on the west pier.
- (iii) Precedence at locks. All vessels approaching the locks shall stop at the points indicated by signs placed on the canal piers or as directed by a canal operative until ordered to proceed into the lock. Unless otherwise directed by the District Engineer or his authorized assistants, vessels owned or operated by the

United States or the City of Seattle and passenger vessels operating on a regular schedule shall have precedence over all others in passing through the locks. Registered merchant vessels shall have precedence over pleasure craft, which shall pass through m the order of their arrival at the locks, and both shall have precedence over vessels towing floated timber or logs. Tows of floated timber and logs may be denied the use of the locks during certain hours when both locks are busy passing other traffic. "However, advance notice will be given towboat companies as to the periods when log tows will be denied lockage.

(iv) Entering locks. Masters of vessels shall exercise the greatest care when entering either lock. The forward movement of vessels while taking position in the locks shall be very slow, and boats entering the small lock shall reduce their speed to not more than two and one-half miles per hour when within 200 feet of the outer gate and come to practically a full stop before entering the lock so that in case the engine mechanism fails to operate properly the momentum of the boat may be stopped easily by its lines. The masters of vessels entering either lock from either direction shall be alert to receive and shall immediately comply with instructions by voice or signal from the lock attendants.

(v) Mooring in locks. Vessels and rafts while in the lock shall be moored at the top of the lock wall, adequate lines at least 50 feet in length being required fore and aft. Lines shall not be released until the signal has been given by the lock force to leave the lock, after which there shall be no delay in leaving. All vessels not equipped to handle tie-up lines with power winches shall be equipped with suitable mooring lines of manila or other suitable fiber, of suffi-cient size and strength, to hold the vessel against the currents to be met within the lock chamber. The use of wire rope for tie-up lines by vessels not equipped to handle such lines with power winches is prohibited. Vessels may be denied the use of the locks if their lines are not in good condition, or if the mooring bits on barges are not accessible or are not equipped to prevent lines from slipping off when the water is lowered in the lock. All vessels entering the locks should have, in addition to the master, at least one person on deck to handle lines. Persons attempting to take vessels through the locks without assistance on deck may be required to wait until the lock is clear of other traffic before passing through. All operators of vessels are especially cautioned to use extreme care while crowded in the locks to avoid accident or fire on their boats. Operators of small vessels and larger vessels operating in the proximity of each other shall be alert to the danger arising from the limited maneuverability of the larger vessels, and shall exercise all precautions to prevent accident.

(6) Damage to locks or other structures. The regulations in this paragraph shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to the locks or other structures. The sides and corners of all vessels and rafts passing through

the locks should be free from spikes or projections of any kind which might damage the locks or other structures. Vessels with appurtenances or projections which might damage the locks or other structures shall be fitted with adequate fenders. The operators of vessels shall use care to avoid striking the guide walls or other structures pertaining to the canal.

(7) Commercial statistics. each passage through the locks, as required by section 11 of the River and Harbor Act of September 22, 1922 (42 Stat. 1043; 33 U.S. C. 555) the master or clerk of any vessel or other craft shall furnish, upon prescribed forms provided for the purpose and obtainable at the locks, a statement of the passengers, freight, and tonnage, and such other statistical information as may be required by the forms. The total cargo carried must be reported showing separately the tonnage in transit, and the tonnage, kind, and 'destination of cargo to be unloaded.

(ii) Reports of log rafts passing through the canal shall show the number of sections in the lock at each passage and, in the case of boom sticks, poles, or piles, the number of sticks in the tow. For logs, poles, or piles in cribs or in built-up rafts of more than one layer, the report shall show the total board feet in the raft.

(iii) Except by special permit, no vessel will be allowed to pass through the lock until a correct statement is furnished of the passengers, freight, and tonnage, and such other statistical information as may be required by the prescribed forms provided for the purpose.

(8) Rafts. (i) No log raft exceeding 700 feet in length or 76 feet in width shall pass through the canal. Boom sticks shall be smooth, with rounded ends, and securely tied together with cables, chains, or log swifters to prevent the raft from spreading while in the lock. Rafts containing logs that do not float above water for their entire length, or are in danger of being submerged when they enter fresh water, shall not be towed in the canal until such logs are securely fastened so as to prevent their escape from the raft.

(ii) Whenever required, log rafts passing in through the lock will be given a number that shall be fastened on one of the logs in the raft. This number will identify the raft and shall not be removed

until the logs are used.

(iii) Two floats are maintained in Shilshole Bay near the entrance of the canal channel to facilitate the handling of logs in the canal. Rafts bound for the canal may be moored at one of these floats, only the portion of the raft that is to be taken through at a single lockage being brought into the canal. The remainder of the raft may be left at the float until the first portion has been towed to its destination above the lock.

(9) Tows. All vessels engaged in towing shall use tow lines of the least practicable length and shall have full control of their tows at all times. Towing more than one craft abreast is forbidden if the total width of the tow, including the towboat, exceeds 70 feet.

(10) Obstructing navigation. (i) All vessels and tows passing through the canal shall be kept as close as practicable to the center or, when safer, to the right side of the waterway, except when passing other craft or preparing to moor at a pier or wharf. Slowly moving log rafts, tows, or vessels shall, whenever practicable, pull out of the way when meeting other vessels or when other traffic proceeding in the same direction desires to pass. Vessels are forbidden to obstruct the canal in any way or to delay by slow passage through the canal the progress of other vessels. Small and readily maneuverable vessels operating in the vicinity of larger, less maneuverable vessels shall, in all cases, keep clear and operate with caution in order that the larger vessels may maintain safe steerage way and that hazards to all vessels may be reduced. All vessels shall operate with extreme caution and movements shall be made only when adequate precautions for the safety of other vessels and property are being effectively employed.

(ii) The placing of logs, vessels, or other floating objects within the limits of the dredged channels or anywhere in the canal where they may interfere with navigation to or from piers or industrial

plants is prohibited.

(11) Turning. Vessels exceeding 100 feet in length shall not turn around, or attempt to turn around, in the portion of the canal between the Northern Pacific Railway Company bridge and a point 400 feet east of the Fremont Bridge, or in the Portage Cut.

(12) Excessive working of propellers or engines. Excessive working of the propellers of a vessel for purposes of testing or for other purposes when this creates objectionable or dangerous currents in the canal is forbidden. In case of grounding, the rapid or strong working of the vessel's engines is forbidden.

(13) Landing or mooring. No business, trading, or landing of passengers, freight, or baggage will be allowed on or over the canal piers or lock walls, or over the piers or grounds forming a part of the canal or its appurtenances. All persons in charge of or employed on any boat are prohibited from landing or mooring such boat at any of the canal piers, unelss in transit through the canal or specially permitted to do so by the District Engineer or his authorized assistants.

(14) Deposit of refuse. The deposit, either from watercraft or from the shore, of any oil or refuse matter in the canal or upon the canal grounds is prohibited, nor shall water discharged from the side of a vessel be allowed to spill on the lock wall.

(15) Aids to navigation. Persons in charge of log rafts or other tows, and the masters of vessels and boats using the canal, shall keep a careful watch when passing buoys or other aids to navigation and promptly report to the District Engineer or his authorized assistants any displacement or damage to such aids.

Note: Aids to navigation and other related data are shown on United States Coast and Geodetic Survey Chart No. 6447.

(h) Lake Washington, seaplane restricted area, U. S. Naval Air Station, Sand Point, Seattle—(1) The area: (1) Beginning at a point bearing 346°07′15″,

2,113.75 yards, from the tower at the northeast corner of Hangar No. 1, U.S. Naval Air Station, Seattle; thence 347°, 2,000 yards; thence 77°, 500 yards; thence 167° 2,000 yards; and thence 257°, 500

yards, to the point of beginning.
(ii) The area will be marked by special pneumatic buoys as follows: Seven each on the easterly and westerly lines, equally spaced, forming two parallel rows 500 yards apart. Each corner buoy will be equipped with a yellow light and all other buoys with green lights. These lights will be lighted only during night flying operations. Each buoy will be marked in addition by black and yellow vertical stripes.

(2) The regulations. (i) This area shall be restricted to seaplanes for use in

landing.

(ii) No vessel shall operate or anchor in the area except those attendant upon seaplane operations.

(iii) All other watercraft shall exercise due caution in navigating across the lake in the waters to the north and to the south of the restricted area, as there may be danger from planes about to land.

(iv) The regulations in this paragraph shall be enforced by the Commandant, Thirteenth Naval District, or his author-

ized representative.

- (i) Elliott Bay, Smith Cove; naval restricted area—(1) The area. Beginning at the southwest corner of Great Northern Railway Pier 89, Smith Cove; thence 180° 150 yards; thence 270° 625 yards; thence due north to the shore of Smith Cove.
- (2) The regulations. No vessel shall enter this area without permission of the Commandant, Thirteenth Naval District, or his authorized representative.
- (j) Port Orchard; naval restricted area—(1) The area. Shoreward of a line beginning at a point on the west shoreline of Port Orchard bearing 90° from stack (at latitude 47°42'01" longitude 122°36'54") thence 90°, approximately 190 yards, to a point 350 yards from stack; thence 165° 6,000 yards, to a point bearing 179° 1,280 yards, from Battle Point Light; thence westerly to the shoreline at latitude 47°39'08" (approximate location of the Brownsville Pier)
- (2) The regulations. (i) No vessel shall, at any time, anchor or tow a drag of any kind in this area.
- (ii) The regulations in this paragraph shall be enforced by the Commandant, Thirteenth Naval District, or his authorized representative.
- (k) Sinclair Inlet; naval restricted area—(1) The area. All the waters of Sinclair Inlet westerly of a line drawn from the Bremerton Ferry Landing (approximately latitude 47°33'49" longitude 122°37'19") to the Annapolis Ferry Landing (approximately latitude 47°32′59.5" longitude 122°36′52")
- (2) The regulations. No vessel of more than 100 gross tons shall enter this area or navigate therein without permission from the Commandant, Thirteenth Naval District, or his authorized representative.

[Regs. Dec. 10, 1948, 800.212—ENGWR] (38 Stat. 1053, 40 Stat. 266, 892; 33 U. S. C. 1, 3, 471)

EDWARD F. WITZELL, [SEAL] Major General, The Adjutant General.

[F. R. Doc. 48-11213; Filed, Dec. 23, 1948; 8:48 a. m.]

TITLE 34—NATIONAL MILITARY **ESTABLISHMENT**

Chapter VII—Department of the Air Force

Subchapter D-Military Education

PART 845--Aviation Instruction at Non-FEDERAL ESTABLISHMENTS

TRANSFER AND REVISION OF REGULATIONS

The material formerly contained in §§ 405.9 to 405.10, Chapter IV of Title 10, is hereby revised and transferred to Chapter VII, Title 34, and is redesignated §§ 845.8 and 845.9, as follows:

§ 845.8 Property. Property transactions between the Air Force supervisor and a school will be governed by § 845.9 (e) (2) (i). An accountable officer will be designated by the Chief of Staff, United States Air Force, who will account for all Government property located at each institution.

§ 845.9 Loan of Government prop-erty—(a) General. Property subject to loan will comprise any Governmentowned property mentioned and described in 53 Stat. 556; 10 U.S. C. 298b. All loans of Government property will be made subject to return upon call of the Government, and without obligations upon the part of the Government to repair or replace the same in whole or in part unless otherwise specifically provided for by agreement in writing with the institution concerned.

(b) Accredited aviation schools de-The term "accredited aviation schools" is defined as those flying schools or aviation mechanic schools that have been selected by the Chief of Staff, United States Air Force, in accordance with § 845.2.

(c) Eligibility for loans. (1) The institution must be an accredited school within the definition of paragraph (b) of this section and under contractual obligations with the Government for the training of personnel of the Military Establishment pursuant to section 2, 53 Stat. 556; 10 U.S. C. 298a.

(2) The detail of military personnel as students at institutions will not create any obligation on the part of the Government to provide property for the instruction of military students except as set forth in formal agreements that may be entered into by the Government with the institution concerned.

(d) Administrative provisions. (1) Loans of Government property, except serviceable aircraft, necessary for proper instruction at accredited aviation schools will be made at the discretion of the Chief of Staff, United States Air Force. The quantity and nature of the property and the conditions under which loans will be made will be as determined by the Chief of Staff. United States Air Force.

(2) Administrative details not inconsistent with these regulations respecting the loan of Government property and the maintenance thereof, including the extent to which an institution will be held responsible for replacement, repair, and overhaul, will be matters for determination by the Chief of Staff, United States Air Force.

(e) Procedure—(1) Requisitions. Requests for the issue of Government property will be submitted by the institution to the Air Force supervisor. When authorized, the issue to the institution will be made by the Air Force supervisor, or if not on hand, will be obtained by him on requisition.

(2) Loans. (i) Government property will be loaned to institutions by the Air Force supervisor on memorandum recelpt. Credit memorandum receipt will be furnished the institution by the Air Force supervisor for property returned to the Department of the Air Force.

(ii) The responsible head or corresponding executive of the institution must designate in writing a representative who will sign all property papers for the school in the name of the institution.

(iii) Reports concerning the quantity and condition of Government property in its possession must be rendered by the institution as required by the Chief of Staff, United States Air Force.

(iv) The institution must make settlement for property held on memorandum receipt as required by the Air Force supervisor.

(3) Accounting. Property must be accounted for as prescribed in § 845.8.

- (f) Transportation. (1) Property authorized to be loaned under the provisions of § 845.9 (a) will be delivered to an institution through the Air Force supervisor by air, rail, or motor transportation as the interests of the Government may require, at the expense of the Government, except for drayage as provided for in subparagraph (2) of this paragraph. The return of such property as requires rail or motor transportation, including property in the possession of the Air Force supervisor, will be accomplished by the institution making delivery f. o. b. cars or motor truck city of the institution concerned, properly packed, boxed, crated, and prepared for domestic shipment to such destination as may be determined by the Government. The return of airplanes in condition for flight will be accomplished by the institution, set up, serviced, and made ready for flight at the flying field of the institution concerned.
- (2) All drayage of Government property to and from air or mail terminal. city of institution concerned, will be furnished by and at the expense of the institution.
- (g) Lost, damaged, or destroyed property. (1) Government property which becomes unserviceable through fair wear and tear incident to the proper and authorized use thereof will occasion no liability to the institution. Such property may be returned to the Government for replacement or credit or should be re-

paired by the institution in accordance with the written agreement that is entered into with the Government.

(2) Government property lost, destroyed, or damaged by fire, theft, tornado, aircraft accident, or other similar causes, without fault or neglect on the part of the institution, its servants, or employees, will occasion no liability to the institution. To determine whether such loss, destruction, or damage was without fault or neglect on the part of the institution, its servants, or employees, a survey will be made in accordance with applicable regulations.

(3) All other loss, damage, or deterroration of Government property for which an institution is responsible will be made good by the institution.

(4) The Air Force supervisor will report to the authorities of the institution in writing any facts, circumstances, or conditions which he believes to be prejudical to the proper protection of Government property against loss through fire, floods, theft, tornado, accident, or other similar causes. In the event that proper corrective action is not taken by the institution as the result of such communication, report thereof wilkbe made to the Chief of Staff, United States Air Force.

(5) The relief of institutions from liability in connection with property referred to above will in no way render inoperative any written agreement made by them with the Government for repairs and maintenance.

(h) Maintenance and repair (1) The institution will keep and maintain property loaned to it in good repair and in the same condition as when received by it, usual wear, tear, and usage excepted, unless otherwise specifically provided for in written agreement made with the institution.

(2) Authorized Government representatives will have free access to all Government property loaned to an institution for the purpose of ascertaining the condition of such property and the manner in which it is being safeguarded, stored, maintained, and repaired.

(3) The Chief of Staff, United States Air Force may prescribe regulations that will facilitate proper inspection and maintenance of loaned Government property, when such regulations are consistent with the contractual obligations of the institution.

(i) Care and safekeeping. (1) None of the property owned by the Government and furnished to an institution under these regulations will be removed by the institution from the continental limits of the United States. Such property will not be utilized by the contractor for any other purposes than the instruction of military personnel or the performance of formal contracts pertaining to such instruction except where specifically authorized by the Chief of Staff, United States Air Force.

(2) Proper storage facilities will be furnished by the institution for all Government property in its possession and in the possession of the Air Force supervisor. The place and manner of storage will provide satisfactorily for the care and safekeeping of Government property and will be such as to prevent undue and avoidable deterioration.

(3) Government parts, accessories, and supplies will in no case be stored or mingled with the articles of a like nature that belong to an institution. The manner of storage will permit ready identification of the property that is loaned by the Government and facilitate its inventory when such action is required. (Sec. 4, 53 Stat. 556; 10 U. S. C. 298b)

[SEAL] • L. L. JUDGE,

Colonel, U. S. Air Force,

Air Adjutant General.

[F. R. Doc. 48-11197; Filed, Dec. 23, 1948; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

Chapter I—Bureau of Land Management, Department of the Interior

Chapter II—Bureau of Reclamation,
Department of the Interior

DISCONTINUANCE OF CODIFICATION

In order to conform to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the Regulations of the Administrative Committee of the Federal Register effective October 12, 1948 (13 F. R. 5929), the codification of Part 01, Part 4, Part 50, Part 400, Part 402, Part 405, Part 406, and Part 451 of Title 43 is discontinued. Amendments to the provisions in these parts will in the future appear in the notices section of the Federal Register.

J. A. KRUG, Secretary of the Interior

DECEMBER 18, 1948.

[F. R. Doc. 48-11248; Filed, Dec. 23, 1948; 9:04 a. m.]

TITLE 47—TELECOMMUNI-CATION

Chapter I—Federal Communications Commission

[Docket No. 9163]

Part 13—Commercial Radio Operators

ELÎGIBILITY FOR NEW LICENSE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of December 1948;

The Commission having under consideration the matter of the proposed amendment of Part 13 of its rules governing Commercial Radio Operators by the establishment of a new § 13.5 for the purpose of (a) reflecting into Part 13 of the above mentioned rules the requirement of section 303 (1) of the Communications Act that radio operator licenses be issued only to such citizens of the United States as the Commission finds qualified, and (b) preventing persons whose commercial radio operator licenses are suspended, persons involved in license suspension proceedings, or persons involved in pending litigation based on alleged violation of the Communications Act of 1934, as amended, from escaping the penalty imposed (or that may be imposed) by declaring such persons temporarily ineligible to apply for commercial radio operator licenses of any class; and

It appearing, that on October 20, 1948, general notice of proposed rule making with respect thereto was published in accordance with section 4 (a) of the Administrative Procedure Act; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments expired November 19, 1948, and during that period the Commission received no comments in opposition to the proposed amendment as above mentioned; and

It further appearing, that authority for the proposed amendment is contained in sections 4 (i) 303 (l) and 303 (r) of the Communications Act of 1934, as amended.

It is ordered, That effective January 31, 1949, Part 13 of the Commission's rules governing Commercial Radio Operators, be amended, by the addition of a new § 13.5 to read as follows:

§ 13.5 Eligibility for new license. (a) Under the provisions of section 303 (1) of the Communications Act of 1934, as amended, United States citizens who are found qualified by the Commission are the only persons to whom radio operator licenses may be issued.

(b) Notwithstanding any other provisions of the Commission's rules, no person otherwise eligible shall be deemed to be eligible to be examined for or to receive a commercial radio operator license of any class, (1) whose commercial radio operator license is under suspension or is involved in a suspension proceeding, or (2) who is involved in any pending litigation based on an alleged violation of the Communications Act of 1934, as amended. (Sec. 4 (i), 48 Stat. 1066, 1082; 303 (l), 303 (r), 50 Stat. 191, 47 U. S. C. 4 (i), 303 (l) and 303 (r))

Released: December 20, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 48-11217; Filed, Dec. 23, 1948; 8:51 a. m.]

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Chapter I—Division of Territories and Island Possessions, Department of the Interior

Chapter II—Puerto Rico Reconstruction Administration, Department of the Interior

Chapter III—The Virgin Islands Company, Department of the Interior

Chapter IV—The Alaska Railroad, Department of the Interior

DISCONTINUANCE OF CODIFICATION

In order to conform to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the regulations of the Administrative Committee of the Federal Register effective October 12, 1948 (13 F R. 5929) the codification of Part 1, Part 201, Chapter III, and Chapter IV of Title 48 is discentinued. Amendments to the provisions in Part 1, Part 201, Chapter III, and Chapter IV will in the future appear in the Notices section of the FEDERAL REGISTER.

> J. A. Krug,.. .Secretary of the Interior.

DECEMBER 18. 1948

[F. R. Doc. 48-11249; Filed, Dec. 23, 1948; 9:04 a. m.l

TITLE: 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PARTS 71-77-EXPLOSIVES AND OTHER DANGEROUS ARTICLES

EDITORIAL CHANGES INCIDENT TO PUBLICA-TION OF CODE OF FEDERAL REGULATIONS, 1949 EDITION

In order to conform the material in Parts 71 to 85, inclusive, to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the Regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5829) the following editorial changes are made, effective upon their publication in the FEDERAL REGISTER. Future amendments to these regulations will conform to the numbering system set forth below, in which the number to the left of the decimal point is the Part number assigned in the Code of Federal Regulations, and the number to the right of the decimal point is the section or paragraph number presently assigned by the Interstate Commerce Commission.

1. Part 1 is redesignated as Part 71, General Information and Regulations, and sections A to M are redesignated §§ 71.1 to 71.12.

2. Part 2 is redesignated as Part 72, Commodity List of Explosives and Other Dangerous Articles Containing the Shipping Name or Description of all Articles Subject to These Regulations, and sections 1 to 4 are redesignated §§ 72.1 to 72.4, and List of Explosives and Other Dangerous Articles is designated as § 72.5.

3. Part 3 is redesignated as Part 73. Regulations Applying to Shippers, and sections 10 to 20 are redesignated §§ 73.10 to 73.20. Subpart A, Preparation of Articles for Transportation by Carriers by Rail Freight Rail Express, Highway, or water, and sections 21 to 31 are redesignated §§ 73.21 to 73.31. Subpart B, Explosives, Packing and Marking, and sections 50 to 75 are redesignated §§ 73.50 to 73.75. Subpart C, Dangerous Articles Other Than Explosives, Packing and Marking, and sections 100 to 119 are redesignated §§ 73.100 to 73.119. Subpart D, Inflammable Solids and Oxidizing Maternals, and sections 150 to 216 are redesignated §§ 73.150 to 73.216. Subpart E, Acids and Other Corrosive Liquids, and sections 240 to 277 are redesignated §§ 73.240 to 73.277. Subpart F, Compressed Gases, and sections 300 to 303 are redesignated §§ 73.300 to 73.303. Subpart G. Poisonous Articles, and sections 325 to 369 are redesignated §§ 73.325 to 73.369. Subpart H, Marking and Labeling Explosives and Other Dangerous Articles, and sections 400 to 404 are redesignated §§ 73.400 to 73.404. Subpart I, Shipping Instructions, and sections 414 to 423 are redesignated §§ 73.415 to 73.423.

4. The shipping container specifications are redesignated Part 73a, Shipping Container Specifications. Specifications 1A to 108A, and MC200 to MC320 are assigned section numbers as indicated in the following example:

Example: Paragraphs 1 to 10 in Specification 1A are assigned §§ 73a.1A-1 to 73a.1A-10.

- 5. Part 4 is redesignated as Part 74, Regulations Applying to Carriers by Rail Freight, and sections 500 to 513 are redesignated §§ 74.500 to 74.513. Subpart A, Loading Packages of Explosives in Cars, Selection, Preparation of Car and Certificate, and sections 525 to 532 are redesignated §§ 74.525 to 74.532. Subpart B, Loading and Storage Chart of Explosives and Other Dangerous Articles, section 533 is redesignated § 74.533. Subpart C, Placarding on Cars, and sections 540 to 553 are redesignated §§ 74.540 to 74.553. Subpart D, Unloading from Cars, and sections 560 to 568 are redesignated §§ 74.560 to 74.568. Subpart E, Handling by Carriers by Rail Freight, and sections 575 to 600 are redesignated §§ 74.575 to 74.600.
- 6. Part 5 is redesignated as Part 75. Regulations Applying to Carriers by Rail Express, and sections 650 to 660 are redesignated §§ 75.650 to 75.660.
- 7. Part 6 is redesignated as Part 76, Regulations to Rail Carriers in Baggage Service and sections 700 to 707 are redesignated §§ 76.700 to 76.707.
- 8. Part 7 is redesignated as Part 77, Regulations Applying to Shipments Made by Way of Common Contract Carriers by Public Highway, and sections 800 to 828 are redesignated §§ 77.800 to 77.828. Section 850 is redesignated § 77.850.

W. P. BARTEL. Secretary.

DECEMBER 22, 1948.

IF. R. Doc. 48-11263; Filed. Dec. 23, 1943; 9:04 a. m.1

> [Rev. S. O. 775, Amdt. 7] PART 95-CAR SERVICE

DEMURRAGE ON RAILROAD FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1948.

Upon further consideration of Revised Service Order No. 775 (13 F. R. 2379) as amended (13 F. R. 2679, 3763, 5238, 5571, 6423) and good cause appearing therefor: It is ordered, That:

Section 95.775 Demurrage on railroad freight cars of Revised Service Order 775, as amended be further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) Expiration date. This section shall expire at 7:00 a.m., July 1, 1949, unless otherwise modified, changed, suspended or annulled by order of the Commission.

It is further ordered, That this amendment shall become effective at 7:00 a.m., December 30, 1948, and a copy be served upon the State railroad regulatory bodies of each State and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402: 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U.S. C. 1 (10)-(17))

By the Commission, Division 3.

W. P. BARTEL. Secretary.

[F. R. Doc. 48-11212; Filed, Dec. 23, 1948; 8:48 a. m.]

> [S. O. 817, Amdt. 3] PART 95—CAR SERVICE

REDUCED RATES ON GIANT REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1948.

Upon further consideration of Service Order No. 817 (13 F. R. 3320), as amended (13 F. R. 3738, 5278), and good cause appearing therefor: It is ordered, That:

Section 95.817 Reduced rates on Giant type refrigerator cars, of Service Order No. 817 be, and it is hereby further amended by substituting the following paragraph (g) for paragraph (g) there-

(g) Expiration date. This section shall expire at 12:01 a.m., July 10, 1949. unless otherwise modified, changed, suspended or annulled by order of this Commission.

Tariff progisions suspended. The operation of all tariff rules, regulations, or charges insofar as they conflict with this order is hereby suspended.

Announcement of suspension. Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth.

Effective date. This amendment shall become effective at 11:59 p. m., December 30, 1948.

It is further ordered, That a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S. C. 1 (10)-(17), 15 (4))

By the Commission, Division 3.

[SEAL]

W P BARTEL. Secretary.

[F R. Doc. 48-11211; Filed, Dec. 23, 1948; 8:48 a. m.]

> [Rev. S. O. 776, Amdt. 6] PART 95-CAR SERVICE,

CAR DEMURRAGE ON STATE BELT RAILROAD OF CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1948.

Upon further consideration of Revised Service Order No. 776 (13 F R. 2380) as amended (13 F. R. 2570, 2679, 3737, 5571, 6423) and good cause appearing therefor: It is ordered, That:

Section 95.776 Car Demurrage on State Belt Railroad of California, of Revised Service Order 776, as amended be further amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) Expiration date. This section shall expire at/7:00 a. m., July 1, 1949, unless otherwise modified, changed, suspended, or annulled by order of this -Commission.

It is further ordered, That this amendment shall become effective at 7:00 a.m.. December 30, 1948, and a copy be served upon the California State Railroad Commission and upon the State Belt Railroad of California, and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Regis-

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W P. BARTEL. Secretary.

[F. R. Doc. 48-11208; Filed, Dec. 23, 1948; 8:47 a. m.1

[3d Rev. S. O. 822]

PART 95-CAR SERVICE

REFRIGERATORS FOR BOX CARS TO PORTLAND, OREGON, AND WASHINGTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1948.

It appearing, that the practice of transporting certain refrigerator cars empty westbound to Portland, Oregon, and points in the State of Washington diminishes the use, control and supply of such cars, and that the loading of those cars with non-perishables in lieu of box cars will reduce the shortage of box cars; in opinion of the Commission an emergency requiring immediate action exists in the western section of the country. It is ordered, that:

§ 95.822 Refrigerator for box cars to Portland, Oregon, and Washington. (a) Any common carrier by railroad subject to the Interstate Commerce Act, for transporting:

(i) Westbound shipments in carloads originating at points shown as origin points in Agent L. E. Kipp's tariff, I. C. C. Nos. 1516, supplements thereto or reissues thereof, and destined to the city of Portland, Oreg., and to points in the State of Washington may, when freight (except freight requiring refrigeration, ventilation, insulation or heater service at the time cars are furnished or transported) to be transported is suitable, and facilities are suitable, for loading in FGEX, WFEX, BREX, CX, FWDX, NP, and NRC refrigerator cars and when such refrigerator cars are reasonably available:

(1) On shipments on which the carload minimum weight does not vary with the size of the car, furnish and transport not more than three such refrigerator cars in lieu of each box car ordered subject to the carload minimum weight which would have applied if the shipments had been loaded in a box car; or

(2) On shipments on which the carload minimum weight varies with the size

of the car:

(i) Two (2) of the said refrigerator cars may be furnished in lieu of one (1) box car ordered of a length 40'7" or less, subject to the carload minimum weight which would have applied if the shipments had been loaded in a box car of the size ordered; or

(ii) Three (3) of the said refrigerator cars may be furnished in lieu of one (1) box car ordered of a length of over 40'7" but not over 50'7" subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(b) Tariff provisions suspended, announcement required. The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(c) Application. (1) The provisions of Service Order No. 68, as amended, insofar as they conflict with this section are suspended.

(2) No car or cars subject to this section shall be stopped in transit to complete loading.

(3) Any car or cars subject to this section may be stopped in transit for partial unloading of not less than 10,000 pounds of freight, or of the entire con-

tents of a car loaded to visible capacity, at any point in the territory west of a line, but not including Chicago, Ill., through Peoria, Ill., and St. Louis, Mo., thence Mississippi River to the Gulf of Mexico, provided such, stop-off is authorized in tariffs on file with this Commission.

(d) Effective date. This section shall become effective at 12:01 a.m., January

1, 1949,

(e) Expiration date. This section shall expire at 11:59 p. m., June 30, 1949, unless otherwise modified, changed, suspended, or annulled by order of the Commission. -

It is further ordered, that this order shall vacate and supersede Second Revised Service Order No. 822 on the effective date hereof; a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U.S. C. 1 (10)-(17))

By the Commission, Division 3.

ISEAL

W. P BARTEL, Secretary.

[F. R. Doc. 48-11210; Filed, Dec. 23, 1948; 8:48 a. m.]

[S. O. 828, Amdt. 1]

PART 95-CAR SERVICE

REFRIGERATOR CARS FOR TRANSPORTING COTTON

At a session of the Interstate Commerce Commission Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1948.

Upon further consideration of Service Order No. 828 (13 F. R. 6018), and good cause appearing therefor: It is ordered,

Section 95.828 SFRD-PFE refrigerator cars for loading cotton, of Service Order 828, be amended by substituting the following paragraph (d). for paragraph (d) thereof:

(d) Expiration date. This section shall expire at 7:00 a. m., April 5, 1949, unless otherwise modified, changed, suspended or annulled by order of the Commission.

It is further ordered, that this amendment shall become effective at 7:00 a.m., December 30, 1948; and a copy be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W P. BARTEL, Secretary.

[F. R. Doc. 48-11209; Filed, Dec. 23, 1948; 8:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 33-CENTRAL REGION

SUBPART—UPPER MISSISSIPPI RIVER WILD-LIFE AND FISH REFUGE; BEAVER TRAPPING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the population of beaver is in excess of the available habitat and that the removal of the surplus in accordance with sound wildlife management can best be accomplished by public trapping.

The following sections are added:

§ 33.301 Beaver trapping. The trapping of beaver is permitted on the Upper Mississippi River Wildlife and Fish Refuge in Illinois, Iowa, Minnesota, and Wisconsin by persons holding permits issued by the officer in charge under the direction of the Director of the Fish and Wildlife Service in manner, by means, and to the extent not prohibited by State laws or regulations and subject to § 33.302 to § 33.306.

§ 33.302 Entry. Entry on and use of the Refuge are governed by Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 33.303 State trapping laws. Strict compliance with the applicable laws and regulations of the respective States in which the Refuge is located is required.

§ 33.304 Trapping licenses and permits. Any person trapping beaver on the Refuge must have in his possession and exhibit at the request of any authorized Federal or State officer a valid State beaver trapping license and a permit issued by the officer in charge of the Refuge or his agent at such fee as may be determined by the Director to be equitable.

§ 33.305 Identification of traps. Any person authorized to trap beaver on the Refuge shall affix to each trap authorized to be used by him such tag or other device as will identify the trap to be a legal trapping device, which tag or other device shall be furnished by the officer in charge of the Refuge at such fee as the Director may determine to be equitable.

§ 33.306 Suspension of privileges. The Director of the Fish and Wildlife Service may suspend beaver trapping privileges effective three days after the publication of notice to that effect in not less than three newspapers of general circulation in the vicinity of the Refuge, should he determine that continued trapping would be detrimental to the Refuge or wildlife interests. Thereupon all outstanding Federal permits for trapping beaver on the area or areas affected shall become null and void.

(43 Stat. 650, 16 U. S. C. 723; 49 Stat. 363, 16 U. S. C. 715s; Reorg. Plan No. II, § 4 (f), 18 U. S. C. 41)

Dated: December 17, 1948.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

[F. R. Doc. 48-11253; Filed, Dec. 23, 1948; 9:23 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization
Service

[8 CFR, Part 95]

SUSPENSION AND DISBARMENT OF ATTORNEYS ADMITTED TO PRACTICE BEFORE IMMIGRATION AND NATURALIZATION SERVICE AND BOARD OF IMMIGRATION APPEALS

NOTICE OF PROPOSED RULE MAKING

DECEMBER 7, 1948.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003)- notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following rules relating to the suspension and disbarment of attorneys admitted to practice before the Immigration and Naturalization Service and the Board of Immigration Appeals. In accordance with subsection (b) of said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 2-1218, Temporary Federal Office Building X, 19th and East Capitol Streets NE., Washington 25, D. C., written data, views, or arguments relative to the substantive provisions of the proposed rules. Such representations may not be presented orally in any manner. All relevant ma-ternal received within 20 days following the day of publication of this notice will be considered.

Paragraphs (e) and (f) of § 95.7, Suspension and disbarment, Chapter I, Title 8 of the Code of Federal Regulations, are amended so that when taken with

the introductory paragraph they will read as follows:

§ 95.7 Suspension and disbarment. With the approval of the Attorney General, the Board may suspend or bar from further practice an attorney or representative, if it shall find that suspension or disbarment is in the public interest. The suspension or disbarment of an attorney or representative who is within one or more of the following categories shall be deemed to be in the public interest, for the purpose of the regulations in this part:

(e) Who solicits practice in any unethical or unprofessional manner, including, but not limited to, the use of runners, or advertising his availability to handle immigration, naturalization, or nationality matters;

(f) Who represents, as an associate, an attorney who, known to him, solicits practice in any unethical or unprofessional manner, including, but not limited to, the use of runners, or advertising his availability to handle immigration, naturalization, or nationality matters;

(R. S. 161, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a) 54 Stat. 675, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 8 U. S. C. 102, 222, 458; 8 CFR 90.2, 12 F. R. 4781)

Watson B. Miller, Commissioner, Immigration and Naturalization.

Approved: December 17, 1948.
Tom C. CLARK,

Attorney General.

[F. R. Doc. 48-11214; Filed, Dec. 23, 1948; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

[7 CFR, Part 904]

HANDLING OF MILK IN GREATER EOSTON MARKETING AREA

DECISION WITH RESPECT TO PROPOSED LIAR-HETING AGREEMENT AND TO PROPOSED AMERICAMENT TO ORDER, AS AMERICAD

Correction

In F. R. Document 48-11054, appearing at page 8156 in the issue for Tuesday, December 21, 1948, the following change should be made:

In column 3, page 8161, line 11 should read, "section and in § 904.9 (d) (1)."

[7 CFR, Part 927]

HANDLING OF MILK IN NEW YORK METRO-POLITAN MILK MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENT TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904) a public hearing was held at New York City on Dacember 8 and 10 and at Albany,

PROPOSED RULE MAKING

New York, on December 9, 1948 upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

Material issues presented at this hearing are as follows:

(1) Minimum prices which should be established for Class I-A milk for a limited period beginning January 1, 1949.

(2) Omission of the Assistant Administrator's recommended decision.

Findings and conclusions. The following findings and conclusions on material issues are based upon evidence introduced at the hearing and the record thereof:

(1) The minimum price per hundredweight of Class I-A milk (containing 3.5 percent butterfat) for each of the months of January through June 1949 should be 19 cents less than the price established under Order No. 4 for Class I milk (containing 3.7 percent butterfat) for the Greater Boston marketing area.

The supply of milk for the marketing area (receipts at pool plants) since July 1948, both in terms of actual volume and in relation to sales of fluid milk, has been larger than during, the corresponding period in 1947. This constituted a reversal of the situation prevailing from November 1947 through July 1948, during which period the supply of pool milk each month was smaller than in the same month a year earlier. Receipts of pool milk during the first half of 1948 were about 7 percent less than during the first half of 1947.

The gain in milk receipts during the fall of 1948 over the corresponding period in 1947 was the result of larger production per cow and per dairy. number of farms from which milk is received at pool plants continues to run slightly below a year ago. Relatively favorable weather conditions, better than average quality of roughage, a record production in 1948 of feed grains, a substantially lower cost of purchased dairy ration, more grain fed per cow, a slight increase since June in relation to 1947 in the proportion of cows freshening, and the higher price received by producers for Class I-A milk and for all milk delivered all appear to be factors contributing to the increase in production during recent months in relation to the same period in 1947.

Prices paid by farmers for dairy feed, after declining abruptly from June to October of this year, have since increased slightly to a level, in November 1948, about 17 percent below the level of November 1947. The annual level of all costs in dairy farming, however, is currently estimated to be about the same as a year ago by reason of increases in the cost of items other than feed, including farm labor, machinery, equipment and supplies, and building costs. Assurance of any significant change during the next few months in the level either of feed prices or other costs is not apparent from evidence in the record.

The volume of Class I-A milk in each of the first 10 months of 1948 was smaller than in the corresponding month of 1947.

The cumulative total for the first 10 months of 1948 was 2.8 percent smaller than in the corresponding period of 1947. There has been no noticeable tendency in 1948 for the decline to accelerate or diminish.

- Estimated per capita consumption in the New York-New Jersey metropolitan area for the year 1948 is about 5 percent below 1947, but is higher than in any year prior to 1943, and ranks among the highest of the larger northeastern markets.

Retail prices of milk at stores in New York City in 1948 will average about 15 or 16 percent higher than in 1947. While the quantity of milk that could be purchased in New York City at 1948 retail prices with the average weekly earnings of factory workers was less than during the preceding 5 years and about the same as in 1942, the percentage increase in the price of milk at retail in the last 8 years has been less than either the average increase in the price of all foods or the average increase in wages of factory workers.

The minimum price of \$6.12 established for Class I-A milk for the months of October, November, and December 1948 is 66 cents per hundredweight, or 12 percent, higher than for the same period in 1947, and for the year 1948 the Class I-A price averaged about 15 percent higher than for the year 1947. The price received by producers for all milk delivered (uniform price) averaged about 19 percent higher for the first 10 months of 1948 than for the corresponding period in 1947. The amount of dairy feed which could be purchased for the price received per hundredweight of milk was nearly one-third larger in October 1948 than in October .1947. The market prices of the principal manufactured dairy products, and unregulated prices paid for milk used for such products, declined since July of this year and in October 1948 were lower than a year earlier.

The Class I-A price averaged \$5.66 for the year 1948. No substantial change during the early part of 1949 in the annual level of the Class I-A price appears to be justified on the basis of currently prevailing economic conditions. Continuance of a reasonable seasonal pricing policy therefore would tend to support, in the absence of a change in economic conditions, the establishment of a Class I-A price for the first quarter of the year at about the annual level, and at a lower level during the second quarter of the year.

The establishment of such prices for the first half of 1949, however, would not take into account such changes in economic conditions as may occur during that period. Any change in economic conditions sufficient to result in a change-(other than seasonal reductions) in the Boston Class I price is likely to be a change which will also justify an equivalent change in the New York Class I-A price. Thus, the conclusion herein set forth (that the Class I-A price should be established at 19 cents less than the Boston Class I price) not only continues for a further temporary period the same relationship generally existing for the past 2 years between New York Class I-A and the Boston Class I price, but also provides what appears to be a reasonable means, during this particular period, of effecting Class I-A price adjustment in line with changing economic conditions.

Establishment of the New York Class I-A price for 3.5 percent milk at 19 cents less than the Boston Class I price for 3.7 percent milk does not result in prices which are precisely the same for milk of the average butterfat test received from producers in areas where the New York and Boston milksheds overlap. fact, however, does not appear to have resulted in any significant shift of supply from one market to the other. Differences between the two markets in butterfat and transportation differentials preclude a precise alignment of Class I prices for all tests of milk at all points where both markets compete for supply. Evidence in the record is inadequate to justify a change in the 19cent differential for the temporary period during which the Class I-A price is at this time being established.

(2) Conditions shown in the record to exist are such that due and timely execution of the functions of the Secretary of Agriculture imperatively and unavoidably requires that the Assistant Adminstrator's recommended decision be omitted.

Any delay beyond January 1, 1949, in effectuating the changes found to be necessary in the above findings and conclusions would seriously threaten an adequate supply of pure and wholesome milk for the marketing area in future months, would disrupt orderly marketing, and would be contrary to the public interest. Such necessary changes cannot be made effective by January 1, 1949, unless the recommended decision is omitted.

(3) General. (a) The proposed marketing agreement and the proposed amendments to the order, as amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreement and the proposed amendments to the order, as amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which the hearings have been held;

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the proposed amendments to the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Rulings on proposed findings and conclusions. Written arguments and proposed findings and conclusions submitted on behalf of interested persons were considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that the proposed findings and conclusions differ from the findings and conclusions contained herein, the specific or implied requests to make such findings are denied because of the reasons stated in support of the findings and conclusions in this decision.

Determination of representative period. The month of September 1948 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such representative period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Marketing agreement and order Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area" and "Order Amending the Order, As Amended, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the attached order amending the order, as amended, which will be published with the decision.

This decision filed at Washington, D. C., this 21st day of December 1948.

[SEAL] CHARLES F. BRANNAN, Secretary of Agriculture.

Order Amending the Order as Amended, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area.¹

§ 927.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and de-

terminations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

- (a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure covering the formulation of marketing agree-ments and orders (7 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:
- (1) The said order, as amended and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;
- (2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and
- (3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the New York metropolitan milk marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

Amend § 927.5 (a) (1) (ii) to read as follows:

(ii) The Class I-A price per hundredweight for each of the months of January through June 1949 shall be the 201-210 mile zone price per hundredweight established under Order No. 4 for Class I milk containing 3.7 percent butterfat for the Greater Boston marketing area, minus 19 cents.

[F. R. Doc. 48-11238; Filed, Doc. 23, 1949; 9:01 a. m.]

[7 CFR, Part 970]

[Docket No. AO 174-A3]

HANDLING OF MILE IN CLINTON, IOWA, MARKETING AREA

MOTICE OF HEARING ON PROPOSED AMEND— MENT TO TENTATIVE MARKETING AGREE-MENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps., 900.1 et seq) notice is hereby given of a public hearing to be held in the Clinton County Courthouse, Clinton, Iowa, beginning at 10 a. m., c. s. t., January 10, 1949, for the purpose of receiving evidence with respect to the proposed amendments heremafter set forth or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended regulating the handling of milk in the Clinton, Iowa, marketing area (7 CFR, Supps., 970.0 et seq)

These proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed by the Clinton Cooperative Milk Producers Association:

- 1. Amend § 970.4 (a) (1) by deleting therefrom the words "70 cents" and substituting therefor the figure "\$1.00"
- 2. Amend § 970.7 (b) (2) by deleting therefrom the phrase, "exclusive of the amount retained in such fund pursuant to subparagraph (3) of this paragraph."
- 3. Dalete paragraph (b) (3) and (b) (4) of § 970.7.
- 4. Make such other changes as are necessary to bring the remaining sections of the order into conformity with the amendments as proposed above.

Proposed by the Dairy Branch, Production and Marketing Administration:

Delete § 970.4 (a) (3) and substitute therefor the following:

(3) For Class III Milk. The price shall be the result of the following computation by the market administrator: multiply by 2.4 the average of the daily wholesale prices per pound of the cheese known as "Twins" in the Chicago market as reported by the United States Department of Agriculture during the delivery period and multiply such result by 3.5.

Copies of this notice of hearing may be procured from Mr. E. H. McGuire, market administrator, 335 Federal Building, 16th Street and Second Avenue, Rock Island, Illinois, or from the Hearing Clerk, United States Department of Agniculture, Room 1846 South Building, Washington 25, D. C., or may be there inspected.

Dated: December 20, 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-11202; Filed, Dec. 23, 1948; 8:47 a. m.]

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been rect.

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 9]

[Docket No. 8601]

AERONAUTICAL SERVICES

NOTICE OF PROPOSED RULE MAKING

- 1. Notice is hereby given of proposed rule making in the above-entitled matter.
- 2. It is proposed to amend that portion of § 9.432 of the rules governing Aeronautical Services which describes the frequencies available for domestic service to provide for the assignment of VHF frequencies in accordance with a chain system of allocation. The proposed amended rule would read as follows:
- (a) Domestic service. Aviation route frequencies will be assigned in accordance with a chain system of allocation. A map delineating the chain systems in effect will be maintained in the offices of the Commission at Washington, D. C. Although chain systems are primarily domestic, operations may extend outside the United States.

Frequencies are allocated to chains as follows:

(1) HF chains—(i) Red chain and feeders.

kc	kc	ke
3147.5	3467.5	5592.5
3162.5	5122,5	5662.5
3172.5	5162.5	5697.5
3182.5	5172.5	5825 7
3322.5	5572.5	8240 T
3372.5	5582.5	12330

(ii) Blue chain and feeders.

kć	ke
4937.5	6510 T
4947.5	65 ² 20 ⁷
4952.5	10125 7
4967.5	•
5692.5 ⁷	
	4937.5 4947.5 4952.5 4967.5

(iii) Brown chain and feders.

kc	ke	ko
2946	5252.5	5652.5
3137.5°	5365 12	5672.5
3222.5 ¤	5390 ™	5892.51
3232.5	5480 °	6550 T
3242.5	5602.5	7700 7
3257.5	5612.5	100807
3432.5	5622,5	~
4732.5	5632.5	

(iv) Green chain and feeders.

ke	ke	ke
2608 ⁸	4122.5	5707.5 7
2898 7	4335 78	6795 ⁷
2922	4742.5	6805 T
2946	5310	8565 7
2986	5652.5	11960 ⁸

(v) Purple chain and feeders.

kc	kć	kc
2644	3127.5	5377.5 7
2994	4917.5	5887.5 7
3005	5275 ^{7 13}	6490 7

(vi) Yellow chain and feeders.

ke	kc	ke
3447.5	4650 7 18	5215 ¹³
3457.5	5032.5	5682.5
3485	5042.5	8070 7 13

(vii) Hawaiian chain and feeders

kc	kc	- kc
2922	5375	6610
4742.5		

(2) VHF chains—(1) Transcontinental VHF chain and feeders.

Mc	Mc	Mo
127.5	128.9	131.7
127.7	129.3	131.9
127.9	131.3	
1281	131.5	

(ii) Northeast VHF chain and feeders.

Mc	Mc	Mc	
128.3	129.9	130.5	
128.7	130.3	130.9	

(iii) Eastern VHF chain and feeders.

Mo	Mo	Mo
127.1	129.1	130.7
127.3	129.7	131.1
128 5	120.1	

(iv) Midcontinent VHF chain and feeders.

Mc	Мc	Mo
128.3	129.9	130.5
128.7	130.3	130.9

(v) Pacific VHF chain and feeders.

Mc	Mc	Mo
127.1	129.1	130.7
127.3	129.7	131.1
128.5	130.1	

(vi) Common frequencies.

126.9 Mc (for use only at international gateways).

129.5 Mc (for use on all chains).

- 3. The proposed amendment is issued under the authority of section 303 (a) (b) (c) (d) (f), (h) and (r) of the Communications Act of 1934, as amended.
- 4. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before January 31, 1949 a written statement or brief setting forth his comments. Persons desiring to support the amendment may also file comments by the same date. The Commission will consider all comments, briefs and arguments presented before taking final action with respect to the proposed amendment.

Adopted: December 15, 1948.

Released: December 20, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,

Secretary.

[F. R. Doc. 48-11218; Filed, Dec. 23, 1948; 8:51 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order No. 1706]

LOAN ANNOUNCEMENT

DECEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

- These frequencies are assigned upon the express condition that no interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies with which interference results.
- with which interference results.

 *Subject to the condition that no interference is caused to Government stations, A3 emission may be used if the Communication band width of emission does not exceed 3000 cycles.

Loan designation: Amount
Texas 91L San Patricio------ \$320,000

[SEAL] CLAUDE R. WICKARD,

Administrator.

[F. R. Doc. 48-11204; Filed, Dec. 23, 1948; 8:47 a. m.]

- Primarily for that portion of the Brown Chain between New York, N. Y. and Montreal. Canada.
- For use only in that portion of the United States north of New York City.
- ¹¹Primarily for that portion of the Brown Chain between New York, N. Y. and Toronto, Canada.
- ²² Maximum power 50 watts for use east of New York only, subject to the condition that no interference will be caused to Agriculture stations in the fixed service or to any station which in the judgment of the Commission has priority on this frequency.
- ¹³ Available for aeronautical enroute and aircraft stations subject to 0.01 percent tolerance and 2500 cycles maximum modulating frequency.

[Administrative Order No. 1707] LOAN ANNOUNCEMENT

DECEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

[SEAL]

CLAUDE R. WICKARD, Administrator

[F. R. Doc. 48-11205; Filed, Dec. 23, 1948; 8:47 a. m.]

[Administrative Order No. 1708]

LOAN ANNOUNCEMENT

DECEMBER 13, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Kansas 52B, C Thomas____ \$630,000

[SEAL]

WILLIAM J. NEAL, Acting Administrator.

[F. R. Doc. 48-11206; Filed, Dec. 23, 1948; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Project No. 516]

SOUTH CAROLINA ELECTRIC & GAS CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE (MAJOR)

DECEMBER 20, 1948.

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U.S. C. 791-825r) that South Carolina Electric & Gas Company, of Columbia, S. C., has made application for amendment of license for major Project No. 516 to authorize an increase in the maximum operating water surface elevation of the project reservoir (Lake Murray) from 360 to 362 feet above

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted on or before January 31, 1949, to the Federal Power Commission at Washington, D. C.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 48-11215; Filed, Dec. 23, 1948; 8:49 a. m.1

SECURITIES AND EXCHANGE COMMISSION

J. B. WHEELER

ORDER PERMITTING WITHDRAWAL FROM REGISTRATION AND DISMISSING REVOCA-TION PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of December A. D. 1948.

In the matter of James Benjamin Wheeler doing business as J. B. Wheeler, Second National Bank Building, 800 Main Street Houston, Texas.

Proceedings having been instituted under section 15 (b) of the Securities Exchange Act of 1934 to determine whether it is in the public interest to revoke the registration as a broker of James Benjamin Wheeler, doing business as J. B. Wheeler;

Hearings having been held, and the registrant having requested permission to withdraw from registration; and

The Commission having duly considered the matter; and having issued its findings and opinion;

It is ordered, That registrant be and hereby is permitted to withdraw from registration as a broker, and that the proceedings to revoke his registration be and they hereby are dismissed.

By the Commission.

ORVAL L. DUBOIS, [SEAL] Sccretary.

[F. R. Doc. 48-11193; Filed, Dec. 23, 1948; 8:46 a. m.]

Lawrence R. Leeby & Co.

NOTICE REGARDING VIEWS ON APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 17th day of December 1948.

In the matter of Lawrence R. Leeby doing business as Lawrence R. Leeby & Co., 305 Blount Building, Fort Lauderdale, Florida.

The Commission by order dated October 8, 1946, permitted the registration of Lawrence R. Leeby, doing business as Lawrence R. Leeby & Co., (hereinafter referred to as registrant), pursuant to section 15 (b) of the Securities Exchange Act of 1934 to become effective upon the following terms and conditions:

That the registrant shall act as broker in all dealings with members of the public in over-the-counter transactions;

That registrant may effect transactions as dealer in investment company shares: and

That, as long as said registration shall remain in effect, registrant shall not deal with members of the public except as provided in said order and shall not adopt any other type of dealing without having previously secured permission from the Commission.

The registrant filed an application on October 21, 1948, requesting the Commission to remove the restrictions placed upon his activities in its order of October 8, 1946.

On November 27, 1948, registrant and William Green, counsel for the Division of Trading and Exchanges, entered into a written stipulation setting forth certain information concerning registrant's business activities and agree that said stipulation could be considered by the Commission in passing upon the application hereinabove referred to and made a part of any record presented to the Commir-ion for determination of the issues raised by the said application.

It is hereby ordered, That the aforesaid stipulation be, and the same hereby is, made a part of the record herein.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with the Secretary of the Commission on or before January 17, 1949, and that within the same time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect, together with a brief statement of the nature of his interest in the proceeding and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will determine, on the basis of the record and without formal hearing, whether it is consistent with the public interest to grant the application.

This notice shall be served on registrant not less than fifteen (15) days prior to January 17, 1949, and published in the Federal Register in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to January 17, 1949.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 49-11196; Filed, Dec. 23, 1943; 8:46 a. m.]

[File No. 70-2005]

STANDARD GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of December A. D. 1948,

Standard Gas and Electric Company ("Standard") a subsidiary of Standard Power and Light Corporation, both registered holding companies, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly section 12 (c) thereof and rule U-46 thereunder, regarding a proposal to declare and pay current quarterly dividends on its outstanding Prior Preference Stock, \$7.00 Cumulative, and Prior Preference Stock, \$6.00 Cumula-

A public hearing having been held after appropriate notice and memoranda in support of and in opposition to said proposal having been filed by counsel representing Prior Preference and \$4 Cumulative Preferred stockholders of Standard, respectively and

The Commission having considered the record in this matter and the memoranda filed by counsel, and having this day issued its Findings and Opinion herein;

Standard having requested that the Commission's order be issued herein as soon as practicable and that such order become effective forthwith and the Commission deeming it appropriate to grant such request:

It is ordered, Pursuant to the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith: Provided, however, That this order shall not be construed as a determination that any dividend payments authorized herein are or are not taxable to the recipient pursuant to the provisions of the Internal Revenue Code: And provided further That Standard accompany the dividend checks with a statement to the effect (1) that Standard filed a declaration with the Commission pursuant to section 12 (c) of the act and Rule U-46 regarding the resumption of dividends due to its uncertainty as to whether its account entitled "Earned Surplus—since December 31, 1937" may be so qualified that payment of the dividend is subject to the requirement of Commission authorization under the act and the rules thereunder and that the Commission permitted the declaration to become effective without determining whether the payment is being made out of capital and (2) that the Commission's action in permitting the declaration to become effective should not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 48-11194; Filed, Dec. 23, 1948; 8:48 a. m.]

[File No. 812-574]
BANKERS SECURITIES CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 20th day of December A. D. 1948.

Notice is hereby given that Bankers Securities Corporation ("Bankers") 10cated at No. 1315 Walnut Street, Philadelphia 7, Pennsylvania, an investment company registered under the Investment Company Act of 1940, has filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed purchase by The Real Estate Trust Company of Philadelphia ("Real Estate Trust"), of First Mortgage Bonds of N. E. Corner Walnut and Juniper Streets, Inc. ("Walnut and Juniper") pursuant to tenders to be made by Bankers in response to a general call for tenders to be made by Real Estate Trust of such First Mortgage Bonds.

Bankers proposes to tender such number of bonds as will, if the tender is accepted, exhaust the sinking fund (\$52,-696.44) at a price not yet determined but within a range of 98 to par plus accrued

interest.

Bankers is a closed-end and non-diversified, management investment company. Bankers owns at a cost of \$51,572.10 First Mortgage Bonds of Walnut and Juniper in the principal amount of \$118,500 (out of \$249,750 principal amount outstanding) and 4,005 shares of capital stock or 58.9% of the 6,800 shares outstanding.

Real Estate Trust is a bank organized under the laws of the Commonwealth of Pennsylvania and is the mortgagee and trustee under the indenture securing the First Mortgage Bonds of Walnut and Juniper. As of November 26, 1948, Bankers owned 6,628 shares of the 30,-000 shares of capital stock of Real Estate Trust issued and outstanding or approximately 22.09% of the cutstanding voting securities.

The acceptance by the indenture trustee, Real Estate Trust, of any tenders of Walnut and Juniper bonds from Bankers constitutes a purchase of such bonds by an affiliated person (Walnut and Juniper) from a registered investment company (Bankers) and is prohibited by section 17 (a) (2) of the act unless an exemption therefrom is granted by the Commission pursuant to section 17 (b) of the act.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after January 5, 1949, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 3, 1949, at 5:30 p.m., eastern standard time, in writing, submit to the Commission his views or any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature and interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAT.]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 48-11195; Filed, Dec. 23, 1948; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12473] PERCIVAL GASSETT

In re: Trust under the will of Percival Gassett, deceased. File No. D-28-7392 G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Nelia (Mrs. Ferdinand) Sachs, Joan Sachs, Dorothy Sachs and John Sachs, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)
- 2. That the issue, names unknown, of Nelia (Mrs. Ferdinand) Sachs, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),
- 3. That all right, title, interest and claim of any kind or character whatso-

ever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Percival Gassett, deceased, presently being administered by The Washington Loan and Trust Company, 900 F Street NW., Washington, D. C., as trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Nelia (Mrs. Ferdinand) Sachs, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national in-

terest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States,

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

- Executed at Washington, D. C., on December 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-11219; Filed, Dec. 23, 1948; 8:51 a. m.]

[Vesting Order 12485]

LAURA MUELLER

In re: Estate of Laura Mueller, deceased. File No. D-28-7966; E. T. sec. 8861.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henriette (Henrietta) Struck-

- 1. That Henriette (Henrietta) Struckman, Hedwig Uhl, Luise Tuchlinsky, Freda York, Martha Reschke, Ida Reschke, Erich (Eric) Reschke, Hans Reschke, and Charlotte Reschke, whose last known address was, on September 9, 1948, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany),
- 2. That the sum of \$379.06 was paid to the Attorney General of the United States by Florence P Crews, Administratrix De Bonis Non of the Estate of Laura Mueller, deceased;
- 3. That the said sum of \$379.06 was accepted by the Attorney General of the United States on September 9, 1948, pur-

suant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$379.06 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on September 9, 1948, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc protunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director- Office of Alien Property.

[F. R. Doc. 48-11220; Filed, Dec. 23, 1948; 8:51 a. m.]

[Vesting Order 12521]

MOTOI FUJIURA

In re: Cash owned by Motor Fujiura. D-39-19012-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Motor Fujiura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Cash in the sum of \$638.74, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Motol Fujiura, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-11221; Filed, Dec. 23, 1948; 8:51 a. m.]

[Vesting Order 12525]

Mitsu Okamoto

In re: Bank account and cash owned by Mitsu Okamoto, also known as Mistu Okamoto and as M. Okamoto. D-39-9407-E-1, D-39-9407-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mitsu Okamoto, also known as Mistu Okamoto and as M. Okamoto, whose last known address is Asaguchigun, Rento-machi Kamejima, Nitta Katada gumi, Okayama ken, Honshu, Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows:

a. That certain debt or other obligation owing to Mitsu Okamoto, also known as Mistu Okamoto and as M. Okamoto, by The First National Bank of Portland, 5th, 6th and Stark Streets, Portland, Oregon, arising out of a savings account account number 29551, entitled Mrs. M. Okamoto, and any and all rights to demand, enforce and collect the same. and

b. Cash in the sum of \$236.25, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mitsu Okamoto, also known as Mistu Okamoto and as M. Okamoto, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-11222; Filed, Dec. 23, 1948; 8:51 a.m.]

[Vesting Order 12523]

KURT SCHLUEDER

In re: Stock owned by and debts owing to Kurt Schmieder.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Schmieder, whose last known address is Meerane, Saxony, Germany, is a resident of Germany, and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation of The New York Trust Company, One Hundred Broadway, New York 15, New York, arising from the credit balance in a blocked custodian account, account numbered 6832, entitled Helen B. Dwyer, maintained with the aforesaid Company, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto,

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Helen B. Dwyer, presently in the custody of The New York Trust Company, One Hundred Broadway, New York 15, New York, in a blocked custodian account, account numbered 6832, and entitled Helen B. Dwyer, together with all declared and unpaid dividends thereon,

c. All rights and interest created in Helen B. Dwyer in and to the following:

No. 250-5

(1) That certain Memorandum of Agreement made and entered into as of the 15th day of October 1941 by and between Louis H. Hall, Jr., and Helen B. Dwyer, executed on December 4, 1941, and that certain Memorandum of Agreement, executed by the aforesaid Louis H. Hall, Jr., and Helen B. Dwyer, on April 23, 1942, said Memorandum and Amending Memorandum presently in the custody of The New York Trust Company, One Hundred Broadway, New York 15, New York, in a blocked custodian account, account numbered 6832 and entitled Helen B. Dwyer,

(2) Any and all securities held in a blocked custodian account, account numbered 6832 and entitled Helen B. Dwyer, maintained at The New York Trust Company, One Hundred Broadway, New York 15, New York, said securities held as collateral under the terms of the aforesaid

memorandum, and

(3) That certain quit claim deed executed and delivered to Helen B. Dwyer by Louis H. Hall, Jr., pursuant to the terms of the aforesaid memoranda and the real property covered thereby, and

d. Those certain debts or other obligations evidenced by four (4) notes executed by Elizabeth K. Hall, payable on demand to Helen B. Dwyer, dated, in the face amount and bearing interest at the rates set forth below.

Date	Face amount	Interest rate
Nov. 10, 1941 Apr. 25, 1942 Aug. 16, 1942 Mar. 16, 1942	\$10,000 600 800 4,500	Percent 2½ 4 4 4

said notes presently in the custody of The New York Trust Company, One Hundred Broadway, New York 15, New York, in a blocked custodian account, account numbered 6832, and entitled Helen B. Dwyer, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, and any and all accruals thereto, together with any and all rights in, under and to the aforesaid notes, including particularly the right to possession of said notes, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kurt Schmieder, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein above have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

Exminit A

	Exhibit A				
Name and address of issuer	State of incorporation	Certificate Nos.	Number of shares	Par value	Typo of stock
Allied Mills, Inc., 3400 Board of Trade Bldg., Chicago 4, Ill. Allis-Chalmers Manufacturing Co., Milwaukee, Wis. The American Agricultural Chemical Co., 50 Church St., New York 7, N. Y. American Can Co., 230 Park Ave., New York 17, N. Y. American Gos & Electric Co., 30 Church St., New York 8, N. Y. American Telephone & Telegraph Co., 195 Broadway, New York 7, N. Y. The American Tobacco Co., 111 6th Ave., New York 3, N. Y. American Viscose Corp., Delaware Trust Bidg., Wilmington, Del. Atlantic City Electric Co., 1600 Pacific Ave., Atlantic City, N. J. The Borden Company, 350 Madison Ave., New York 17, N. Y. Botany Mills, Inc., Passaic, N. J.	Delawared0	C 86644 Y 10803 233014 233915 0408136 AO 32203 N 138450 B 100478 NY/C 9275	100 100 100 100 100 . 5 100 3 100 100 2 2 100 100 50	No No No 25 25 10 100 101 14 10 15 5	Common. Do. Do. Do. Do. Do. Capital. Common "B" Common. Do. Capital ClayA common. Do. \$1.25 noncumulativo preferred.
Consolidated Edison Co. of New York, Inc., 4 Irving Pl., New York, N. Y. Chesapeake Corp. of Virginia, West Point, Va. The Chesapeake & Ohlo Ry. Co., Richmond, Va. Chrysler Corp., 341 Massachusetts Ave., Detroit, Mich. Clust Peabody & Co., Inc., 433 River St., Troy, N. Y. Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York 20, N. Y. General Electric Co., 1 River Rd., Schenectady, N. Y. General Motors Corp., 3044 West Grand Blvd., Detroit, Mich. Goodyear Tire & Rubber Co., 1144 East Market St., Akron 16, Ohio. International Salt Co., Scranton 2, Pa. Kennecott Copper Corp., 120 Broadway, New York 5, N. Y. Phillips Petroleum Co., 80 Broadway, New York, N. Y. Scars, Roebuck & Co., 925 South Homan Ave., Chicago, Ill. Standard Oil Co., 30 Rockefeller Plaza, New York, N. Y. Union Pacific R. R. Co., 15th and Dodge Sts., Omaha 2, Nebr. F. W Woolworth Co., Woolworth Bldg., New York 7, N. Y.	Virginiado	N 2 201241 D 7933 33389 O 28576 O 185084 NYO 827572 D 679-606 E 503-875 NC 49171 NO 49172 N 12576 O 407050 313111	100 100 100 100 100 122 88 100 100 100 100 100 100 100 100 100	n sheet need need need need need need need n	Common. Do. Do. Do. Capital. Do. Common. Do. Do. Copital. Do. Copital. Do. Copital. Do. Do. Do. Do. Do. Do. Copital. Common. Do. Copital. Common. Copital. Common. Copital. Common. Copital.

Bhares each.

[F. R. Doc. 48-11223; Filed, Dec. 23, 1948; 8:52 a. m.]

[Vesting Order 12529] MARY LOUISE SIMME

In re: Debt owing to Mary Louise Simme also known as Maria Louise Simme and as Maria Luise Simme.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law,

after investigation, it is hereby found:

1. That Mary Louise Simme also known as Maria Louise Simme and as Maria Luise Simme, whose last known address is Von Spiesstr. 6 (23) Haselunne, Hann, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obli-

gation owing to Mary Louise Simme also known as Maria Louise Simme and as Maria Luise Simme, by Liberty National Bank and Trust Company of Louisville, Louisville, Kentucky, in the amount of \$1,709.25, as of December 31, 1945, evidenced by a trust oucher numbered 43066, issued by the aforesaid Liberty National Bank and Trust Company, together with any and all accruals to

C

the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid trust voucher,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

ð

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-11224; Filed, Dec. 23, 1948; 8:52 a. m.]

[Vesting Order 12533]

OTTO WARIAS

In re: Stock owned by and debt owing to Otto Warias. F-28-29246-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Otto Warias, whose last known address is Plassuten Schwentaiwen Ostpreussen Sued, Germany, is a resident of Germany and a national of a designated enemy country (Germany)
- 2. That the property described as follows:
- a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Orvis Brothers & Co., and presently in the custody of Orvis Brothers & Co., 14 Wall Street, New York 5, New York, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Otto Warias, by Orvis Brothers & Co., 14 Wall Street, New York 5, New York, in the amount of \$19.57, as of November 4, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Otto Warias, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

Exmor A

Place of incorpora-	Certificate Nos.	Num- tyr ol tares
Delaware.	TCO 1918	20
do	CF 153213	19
do	O 60314	ສ
do	CO 10363	1
	Delawaredo	Delaware TCO 1018 do CF 185213 do O 66814

[F. R. Doc. 48-11225; Filed, Dec. 23, 1948; 8:52 a. m.]

[Vesting Order 12519]

OTTO ADAMS

In re: Debt owing to Otto Adams. $^{\circ}$ F-28-4305-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Adams, whose last known address is Kufsteiner Strasse 59, Berlin-Schöneberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Otto Adams, by The Linde Air Products Company, 30 East 42nd Street, New York, New York, in the amount of \$3,390.44, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1943.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[P. R. Doc. 48-11226; Filed, Dec. 23, 1948; 8:53 a. m.]

[Vesting Order 12522]

AUGUST JOHANNING ET AL.

In re: Bank account owned by August Johanning, Ernst Johanning, Hermann Johanning, Anna Heck, Agnes Kaiser and Maria Thom.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are set forth below:

Names and Addresses

August Johanning, Hock Strasse #60, Barmen RHL, Germany.

Ernot Johanning, Hock Strasse #60 Barmen RHL, Germany.

Hermann Johanning, Hock Strasse #60, Barmen RHL, Germany. Anna Heck, Hock Strasse #60, Barmen

Anna Heef, Hock Strasse #60, Barmen RHL, Germany. Agnes Kaker, Hock Strasse #60, Barmen

RHL, Germany.

Maria Thom, Hock Strasse #60, Barmen

Maria Thom, Hock Strasse #60, Barmen RHL, Germany.

are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of The Bank of America National Trust & Savings Association, Sacramento Main Office, 8th and J Streets, Sacramento, California, arising out of a Savings Account, account number 5011, maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by August Johanning, Ernst Johanning, Hermann Johanning, Anna Heck, Agnes Kaiser and Maria Thom, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-11227; Filed, Dec. 23, 1948; 8:53 a.m.]

[Vesting Order 12523]

LUCY KUBLER

In re: Bank account owned by Lucy Kubler. F-28-29229-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lucy Kubler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows: That certain debt or other obligation owing to Lucy Kubler, by Union Dime Savings Bank, 1065 Avenue of the Americas, New York 18, New York, arising out of a savings account, account number 779,128, entitled Lucy Kubler, maintained at the aforesaid bank, and

any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany).

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designate enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,

Assistant Attorney General,

Director Office of Alien Property.

[F. R. Doc. 48-11228; Filed, Dec. 23, 1948; 8:53 a. m.]

[Vesting Order 12526]

A. O. PLAZOTTA

In re: Debt owing to A. O. Plazotta. F-28-11969-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That A. O. Plazotta, whose last known address is Nurmberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to A. O. Plazotta by Gulf Red Cedar Company, Inc., 1207 Mutual Building, Richmond 19, Virginia, in the amount of \$6,980.16, as of July 31, 1946, together with any and all accruals thereto and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany).

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,

Assistant Attorney General,

Director, Office of Alien Property.

[F. R. Doc. 48-11229; Filed, Dec. 23, 1948; 8:53 a. m.]

[Return Order 238]

THEODORE W HERBST AND MALVINE KLAUSNER

Having considered the claim set forthebelow and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and Claim Number, Notice of Intention to Return Published, and Property

Theodore W. Herbst, Bernardsville, N. J., Claim No. A-456; and Malvine Klausner, Los Angeles, Calif., Claim No. 4363; October 6, 1948 (13 F. R. 5847); Ninety percent of an undivided one-third part of the whole right, title and interest in and to property described in Vesting Order No. 201 (8 F R. 625, January 16, 1943) relating to United States Letters Patent No. 1,811,322. Ten percent of an undivided one-third part of the whole right, title and interest in and to property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent No. 1,811,322. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 17, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-11235; Filed, Dec. 23, 1948; 8:54 a. m.]